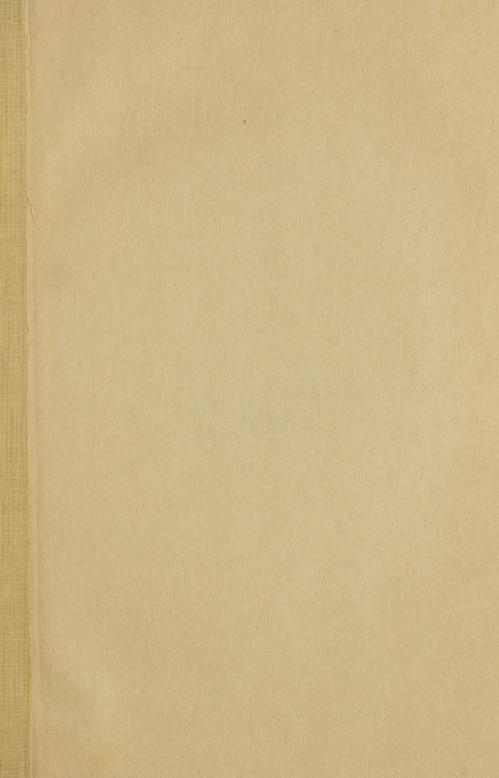
STUDIES IN CITIZENSHIP FOR NORTH CAROLINA WOMEN

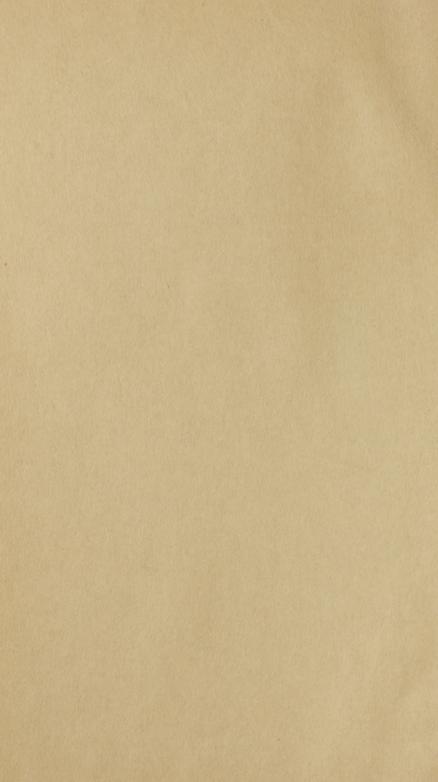
Ву

Mrs. Phil. McMahon

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STUDIES IN

CITIZENSHIP

FOR

NORTH CAROLINA WOMEN



PUBLISHED BY
NORTH CAROLINA LEAGUE OF WOMEN VOTERS
CHARLOTTE, NORTH CAROLINA

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EDITOR'S NOTE

The League of Women Voters is an organization of women, working for the political education of women—not because women have a separate stake in government, but because their enfranchisement has made them a group with a collective need for education and experience; and because they can bring a characteristic woman's viewpoint to the solution of the nation's problems. Women are conscious of ignorance and anxious to learn. The League has developed a machinery of organization calculated to reach out to all types of women and a program of citizenship training which has the endorsement of educators and men and women of affairs. In fact, men's organizations are already studying our methods with a view to adopting them for their own members.

These studies have been prepared with the idea of putting before the women in concrete form the fundamentals of North Carolina government.

The editor wishes gratefully to acknowledge the interest of our friends who have so generously contributed of their time and talents to this work for North Carolina women.

MRS. PHIL McMAHON.

14 Queens Road, West, Myers Park, Charlotte, N. C. North Carolina State Library

STUDIES IN CITIZENSHIP

FOR

NORTH CAROLINA WOMEN

EDITED BY
MRS. PHIL. McMAHON

FOR THE

NORTH CAROLINA LEAGUE OF WOMEN VOTERS

1926

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Program of the Legislative Council of North Carolina Women for 1925. Re-adopted by the 1925 Council for 1927.

Lesson I

THE GROWING IMPORTANCE OF POPULAR EDUCATION IN POLITICS

MRS. PALMER JERMAN President Legislative Council of North Carolina

The bed rock of a republican form of government is the ability of the people to govern themselves. sovereignty lodged in the people and the administration committed to officers elected by and representing, the people, a tremendous responsibility rests upon them in exercising their right of suffrage. Unfortunately the word politics has come to stand for so much that is evil, that its use automatically estranges the interest of many people. But it is the word most commonly used in speaking of our plan of government, and Webster says "a politician is one versed in the science of government and the art of governing." Would this were true! Therefore, whether we wish it or not, we are in politics from the day of our birth, when that event is filed with the bureau of vital statistics, to the day of our death, when a permit for burial is issued by the same bureau.

The fact that one does not vote in no way changes this truth, or lessens the fact that no phase of our daily existence is untouched by politics. This becomes increasingly true every year, for be it wise or unwise, no year passes but witnesses an extension of the government's power

concerning the life of the individual.

The food we eat, the clothes we wear, what we shall pay for rent, our health, our schools, our recreations, our industries, our finances, are all directly influenced by politics. Hence politics cannot be dismissed with an indif-

ferent shrug.

We cannot look for any lessening of the demands our government makes upon us, for with the increase of the population governmental activities will also increase, and the end no one can see. Just here lies the danger unless the electorate is educated in matters political, unless to this matter of government its members bring their best intelligence. This intelligent interest in, and knowledge of, the functions of our government, cannot be acquired in the stress of a political campaign. True, the newspapers

carry quantities of material on the subject at that time, but in the exigencies of the conditions they cannot be free from partisanship, and partisanship has nothing to do with the science of government. A general education is not sufficient either, for it is possible to enjoy that and still know very little of political theory and practice.

Our only hope of attaining this end lies in the schools, colleges and clubs, and this training should begin not later than the first year of high school, in order to help as much as possible that great majority whose education ends with the high school. At this age the tide of patriotism runs high, and boys and girls can be more easily brought to see that intelligent participation in the government is as much their natural, and to-be-expected peace time service to their country, as to offer themselves in times of its peril. This will combat that greatest menace to our American institutions, the indifference of one-half of our population. It is indicative of a serious condition when only about onehalf of those entitled to, have sufficient interest to go to the polls and vote. Of that half how many are educated? Are we not setting up a government by minorities, in direct contrast to the principles held by the founders of this country of the rule of the majority?

The more intelligent the electorate, the better its members will know their own powers and rights, and the more they will require qualifications of leadership in their representatives.

Politically educated citizens will naturally have a more highly developed political consciousness, with all the this implies, of greater sensitiveness to economic inequalities, social evils, and the spirit of lawlessness abroad in our land. Surely there is a greater need for this consciousness today than at any time in our history, and one wonders if our country can long maintain its standards without the cultivation of this faculty in the individuals composing it.

The more recently enfranchised citizens have felt the need of this education in their new responsibilities and have set up schools of citizenship in their clubs and summer schools to remedy, as far as possible this lack. Much good has been obtained from these schools, but at their best they have been a makeshift, serving more than anything else to convince these students that it is too comprehensive a subject to master in such necessarily hasty man-

ner. Youth is the time and school the place for education in citizenship and for training to meet its solemn obligations.

Professor Waigle of Yale has well expressed the dignity of this study, and the high calling of its purpose, when he lays down as a fundamental principle and prime necessity "The public education for citizenship in a democracy, which lays upon the state itself the duty of securing its own perpetuity and shaping its own future by the education of those who as citizens, and voters, constitute its soverigns."

Lesson II

STATE CITIZENSHIP

By MRS. W. T. BOST

Chairman of Legislation, North Carolina League of Women Voters

The term "citizen" is confused in the minds of some people with "voter." They are not synonymous terms and thereby hangs a tale. According to a supreme court decision in 1875 it was declared that citizenship did not confer the right to vote. A few years prior to that time, that dauntless soul, Susan B. Anthony, and a few other women claimed that as the fourteenth amendment declared all persons born or naturalized in the United States citizens, they were citizens and as such had a right to vote. They registered at the polls, voted and were arrested. Believing as did the thirteen other women that "the right of citizens to vote shall not be denied," Miss Anthony voted in the eighth ward of her home city, Rochester, New York, in the general elections. The women were bound over for trial with bonds fixed at \$500 each, Miss Anthony's bond being later increased to \$1,000. Six months intervened between the arrest and the trial but during this time Miss Anthony was free. Her sentence was \$10 with the cost of the prosecution, but she refused to pay the fine. supreme court ruling was made a few years later.

Since citizenship in a state does not qualify a person to vote let us consider what it involves. In beginning this study of state, county, city and town citizenship it is most important that we understand the term "citizen." According to Black's Law Dictionary, a citizen, in American law, is one, who, under the constitution and laws of the United States or of a particular state, and by virtue of birth or naturalization within the jurisdiction, is a member of a political community owing allegiance and being entitled to the enjoyment of full civil rights. The term "citizen" has come to us derived from antiquity. It appears to have been used in the Roman government to designate a person who had the freedom of the city and the right to exercise all political and civil privileges of the government. All persons born or naturalized in the United States and subject to the jurisdiction thereof are citizens of the United States and of the state wherein they reside. There is in our political system a government of each of several

states and a government of the United States. Each is distinct from the others and has citizens of its own who owe it allegiance and whose rights, within its jurisdiction, it must protect. The same person may be at the same time a citizen of the United States and a citizen of a state but his rights of citizenship under one of these governments will be different from those he has under the other. The government of the United States, although it is within the scope of its powers, supreme and beyond the states, can neither grant nor secure to its citizens rights or privileges which are not expressly or by implication placed under its jurisdiction. All that cannot be so granted or secured are left to the exclusive protection of the state. In article I, section 5 of our state constitution relative to our allegiance to the United States government it says: "That every citizen of this state owes paramount allegiance to the constitution and government of the United States and that no law or ordinance of the state in contravention or subversion thereof can have any binding force." "Citizen" and "inhabitant" are not synonymous terms for one may be a citizen of a state without being an inhabitant or an inhabitant without being a citizen.

Before we go into the qualifications of the two types of citizen, the native-born and the naturalized, it might be well to dwell a moment in the significance of the term "state citizenship" or "citizenship and the state." In Dr. Howard W. Odum's course, "Constructive Ventures in Government," a study of woman's new part in the newer ideals of citizenship, he says that the new citizenship is being described as the citizenship of women, as her participation in government, but that the really new citizenship is after all, the total product of all citizenship, men and women. "For there can be but one citizenship," he says; "it will be complex but not compound." Dr. Odum says that the old conflict between the two sorts of government has been fought out and won. "The one theory of government held that the sole excuse for the existence of citizens was to serve the state, a super-organization of driving power," "The other theory held that the state existed he says. solely for its institutional power to serve mankind and that it has come about because of generations of experience in which such organization has proved to be essential for the welfare of all the people. The victory of the democratic over the despotic form of government has set the standard of our modern government. The basis of statemanship is found in the measure of the service to be rendered; and the basis of citizenship is found in the spirit of preparation and service. . . . But the final measure of good government will be the measure of good citizenship in which measure the composite goal is the welfare of the people."

The citizenship under discussion is not the kind that develops symptoms of a brainstorm in a person two weeks before and after election time, but citizenship as a continuing process. We are told in Thompson's "The New Voter," the incident of the man who frankly admitted to his wife who was taking her voting privileges very seriously that he didn't take politics seriously between elections. He didn't remember the issues in the last state election any more than he remembered who commanded the expedition to Gallipoli. About the time the nominations were made he freshened up and began to pay attention and by the time the candidates were calling each other grafters and other very bad names he had gotten all worked up about it. He likewise admitted that he never got excited about any of the candidates except those at the head of the ticket, the gubernatorial or the mayoralty candidates, and that he is always confronted with a list of names nine-tenths of which he never heard before. The day after his candidate is defeated, as he usually is, he is absolutely convinced that "the country has gone to the devil" and two weeks after the election he has lost all interest in politics as a study until the next election, a year hence.

Children may be citizens. The trite expression, "The children of today or the citizens of tomorrow" is a half-way truth for they are citizens of today and tomorrow. They are citizens either by birth or through the naturalization of their parents. The child may be a good citizen or a bad citizen even as the grown-up. Children who are disobedient to parental authority, to the authority of the school and the university will, in all probability, be disobedient to the laws of the community in which he lives. Shirking one's civic duty is a marked characteristic of bad citizenship, acquired in the early years through the constant shirking of home chores and school obligations. In

Peele's Civil Government which was in use in the school of the state for fifteen years and the main purpose of which was to fit children for the duties of citizenship in North Carolina, we are told that the child is born in a world of law and that the sooner he finds it out the better. He is not so much to be governed as to be trained. As parents there can be no greater reward than the first faint dawning of the true citizenship instinct in the child and this instinct to share the activities and experiences of adult life, to want to help in the work of the world is the real beginning of the formation of character and of life interest. The home and the school that do not prepare the soil and sow the first seeds of good citizenship are failing in their mission. Citizenship does not begin at the age of twenty-one, but in childhood. It is not a spasmodic effort with manifestations of a most violent form just at election time, but a year-round, continuous effort.

There is another course published by the state university, "Studies in Citizenship for Women," by Dean D. D. Carroll, which has been most helpful to us in determining the real fundamentals of citizenship. "Too great an emphasis cannot be laid upon the foundation stones of good citizenship, he declares, "and every citizen should know what they are." The first lesson in the course is concerned with these fundamentals, the discussions centering about civic capacities, civic intelligence and civic dispositons. Capacity may be considered a test of effective citizenship in which is included the ability to read, write and cipher, maintain one's self, care for one's family, participate in the life of a community, use leisure fruitfully, recognize cultural and aesthetic interest and to think straight. Civic intelligence, the second point Dean Carroll considers as fundamental in citizenship, deals with the content of information and knowledge relative to economic, social and political environment necessary to make civic capacities and dispositions effective in conduct. And under the third head, civic dispositions, he makes this the motivating and guiding power which makes capacities and intelligence fruitful, the habits of mind and heart expressing themselves in a disposition to serve humanity. To act loyally, honestly, justly, tolerantly, responsibly, independently and with self-control, to co-operate, to work industriously, to live thriftly, reverently, courageously, creatively—these are the dispositions that may be characterized as civic in character and that make for good citizenship in our state. The question is asked: "Can a child or an adult be trained so as to acquire civic dispositions?" We believe with Dean Carroll that a child or adult can be trained in sound conceptions of citizenship; in capacities for effective service; in the whole practice of citizenship.

The inhabitants of our state and of the United States are either native or alien, an alien inhabitant becoming a citizen of this country and of the state or territory in which he lives, by being naturalized. When an alien complies with the law prescribed by congress for making citizens of foreigners he is said to have become naturalized and when he receives his naturalization certificate he is entitled to the same rights and privileges under the federal law as a native-born citizen, excepting election to the presidency or vice-presidency of the United States. A naturalized citizen may, however, be elected governor or lieutenant-governor of North Carolina. There is a uniform rule of naturalization which means that requirements for making foreigners citizens of the nation shall be the same in every state and territory. A foreigner who has not been naturalized and is merely passing through our country or temporarily residing here is not a subject of our government, state or national, nor is he liable for taxes, military duty and the other duties of citizenship, though he is bound to obey such laws as are applicable to him.

While there is a very small percentage of the foreign element in our state citizenry as compared with that of other states there are many aliens living in our midst yet to be naturalized—who have not even declared their intention of becoming naturalized. Raymond F. Crisp, commissioner of naturalization of the United States, stated that in 1920 there were 4,364,909 white non-declarant aliens in the United States of the age of twenty-one years and upward according to that year's census, and hundreds of thousands of others of the age of eighteen years and under twenty-one who are eligible to declare their intention. They may become actual candidates for citizenship at any time they choose. The commissioner believes that they present a problem in the affairs of this country which probably has no equal. The immigrant, as a rule, does not represent the better educated and more prosperous classes of people in his home country. He brings with him his traditions, customs and prejudices and although he may adopt American customs he does it with reservations. In "Problems of Citizenship," a most exhaustive study by Hayes Baker-Crothers and Ruth Allison Hudnut, it was stated in effect that the immigrant woman has had a very retarding effect on the woman movement in this country because, coming from countries in which women were held in submission, had limited opportunities and led a circumscribed life, she had the inferiority complex. Native-born American women were said to have been humiliated again and again when large bodies of recently naturalized foreigners, became a pivotal factor which lost the vote for women. They had their foreign ideas concerning woman's place and were easily induced to vote against suffrage.

The public has shown an increasing interest in dignifying the proceedings admitting alien to citizenship and impressive ceremonies have been held in many court rooms. Naturalization has, in recent years, become more difficult. During the world war, however, there was a wholesale naturalization of alien soldiers in our armies and the requirements for citizenship were temporarily abolished. The order of procedure as given in one of the chapters in "Problems of Citizenship" makes it necessary for any alien, man or woman, who wishes to become naturalized, to comply with certain regulations. It is first necessary to make a declaration of intention. This can be made any time after arrival if the applicant is eighteen years, can sign the petition in his own handwriting and is able to speak English. After he has resided in the United States five years or more and in the state or territory in which he makes his application for one year he can take out the second papers. Not less than two years nor more than seven can elapse between his first declaration and petition. He must have the affidavit of two reputable citizens of the United States, stating that they have known the applicant five years continuously and that he has a good moral character, to accompany the petition. Later he has to appear in court with the same two citizens, renew his adherence to the declarations made in his petition, submit to examination and take the oath of allegiance to the United States government. If the judge is satisfied that he is a good potential citizen he is then given his certificate of naturalization.

The passage of the Cable Act in 1922 provided for the independent naturalization of women but up to that time they became citizens when their husbands were naturalized. According to our law the foreign-born woman married to an American citizen is no longer a citizen by virtue of that fact alone. If she's eligible she must go through a naturalization process slightly less complex than that of the naturalized male. No married woman whose husband is ineligible for citizenship can become a citizen but the opposite condition does not hold true for the married man. Until September, 1922, the status of a woman citizen was inferior to that of a man because her independent citizenship in marrigae was not recognized. Congress passed a law remedying many of the inequalities incident to the naturalization and citizenship of married women. A nativeborn male cannot lose his citizenship unless he deliberately expatriates himself by taking the oath of allegiance to or by becoming the naturalized citizen of another country. A native-born woman may lose her citizenship without her own volition in two ways: if she marries an alien ineligible for citizenship; and if married to an alien she resides continuously for a period of two years in the foregn state of which her husband is a citizen or subject, or lives continuously for five years outside the United States which reduces her to the status of a naturalized citizen who has lived outside this country for a like period of time. In other words the native-born male does not lose his citizenship on marriage to a person adjudged ineligible for citizenship because of national beliefs, mental or moral unfitness, but a native-born woman does lose hers. A nativeborn male citizen married to an alien woman is not placed in the same category as the naturalized citizen and deprived of citizenship because he resides for two years in his wife's native land or sojourns for five or more years outside the United States, but a native-born woman under the same circumstances has only the status of the naturalized citizen.

Citizenship in North Carolina carries with it a distince prestige that we are proud to claim. There is our heritage to spur us on that we may not be unworthy of our forbears. Crises in our state's history have always been met with courage and conviction. Conservatism has been a marked characteristic of our people, we'll admit. It will

be recalled that as one of the thirteen states on the Atlantic border North Carolina was a part of that feeble confederacy called into being by the revolution. The states were bound together into a weak union by the articles of confederation, but it had no standing with outside powers and was unable by reason of its weakness to to be of service to the states. A constitutional convention was called and a constitution was drawn and submitted to the states for ratification. Conservative North Carolina was the last state save Rhode Island to ratify it which it did only after assurances had been given that certain amendments limiting the power of the general government and protecting the liberties of the citizens and the rights of the states would be added. And now that it was in the union it became one of the most loyal of the states. When the war between the states broke out North Carolina was among the very last to secede but when it had finally taken the step, approximately one-fourth of the soldiers of the Confederacy were furnished by our state. The decision which was made in the twinkling of an eye was dramatically told by Zeb Vance, the war governor, in a public speech delivered many years later. News of Lincoln's call for volunteers reached North Carolina while Vance was speaking to an immense audience, pleading with his hearers to remain in the union. Just as his hand was raised in a gesture of appeal the telegram containing the announcement was shouted from the speaker's stand. "When my hand came down from that impassioned gesticulation," he said, "it fell slowly and sadly by the side of a secessionist. I immediately with altered voice and manner called on the assembled multitudes to volunteer, not to fight against, but for South Carolina. If war must come I preferred to be with my own people. If we had to shed blood I preferred to shed northern blood rather than southern blood." Three principles were involved, stated the late Dr. D. H. Hill, in explaining North Carolina's stand; a state's right to sovereignty, a home which neither man nor army was permitted to invade without fight, and standing by one's nearest neighbor in an hour of trial. "The decision made," he said, "the people threw themselves into the unequal struggle with the grim persistency that has marked every crisis in their lives. They set their principles above their emotions, and their convictions above their interests."

And we like to think of North Carolina, not as asleep and indifferent during the long stretch of years when other states were forging ahead in the matter of public school, libraries, care of the unfortunates, but as conservative, hesitant about taking the first step in the progressive movement that of recent years has marked North Carolina as one of the most forward-looking states in the union. Now that it has made the plunge it will move forward with the sheer power of its own momentum. Nothing can now stop North Carolina until there is equal educational opportunity through a nine months school term and a public library in every county, until adequate provision is made for its institutions of learning and of public welfare, and until a network of highways unites all sections of the state. North Carolina citizens are definitely committed to a program of progress.

It's a great and glorious privilege to be a citizen of this state and a shareholder in its rights and responsibilities. We have no right to ask whether citizenship pays or not unless those of us who have all of its high privileges and responsibilities give time and toil and patience to the training and guidance of voters. Good government is the costliest product on earth. It requires not only eternal, but universal vigilance. And that is exactly what worthy cit-

izenship is.

Lesson III

COUNTY GOVERNMENT IN NORTH CAROLINA

By A. C. McINTOSH,
University of North Carolina
(Reprinted from NATIONAL MUNICIPAL REVIEW, February, 1925, Issue)

To understand any system of county government, it is necessary to know something of the historical background, the theory of the system as contained in the written law, and the practical application to the business affairs of the county. In those states in which the system has remained substantially the same from the beginning, there has been a gradual development along fixed and definite lines, which may be readily understood; but where there has been a break in the system, and in many respects a complete change, a transition period and a period of adjustment must be considered in determining the efficiency of the system. County government in North Carolina belongs in the latter class, and its development may be shown by considering three different periods.

Government by County Court

During the greater part of the colonial period, and for about one hundred years after the organization of the state, the county government was under the control of the county court. This was an organization not dependent upon constitutional provision, but inherited from the old English county court, and recognized and established by statute. It was known as the Court of Pleas and Quarter Sessions, held its meetings four times a year, and exercised both judicial and administrative functions. As an administrative body it had charge of levying taxes, appropriating the public money, providing the public buildings, caring for the poor, constructing and keeping in repair the public roads and bridges, maintaining the public schools, and other duties of minor importance.

The court was composed of all of the justices of the peace of the county, with one of their number as chairman, and any three constituted a quorum for the transaction of business. At the first meeting in the year, they could, at their discretion, elect five of their number, with one as chairman, to hold the courts for the year; and this was generally done. Since the members came from different

sections of the county and were supposed to be acquainted with the public needs, it was a representative body; but it was not a democratic body, in that the members were not directly dependent upon the popular vote. The justices were appointed by the governor, upon the recommendation of the general assambly, to hold office during good behavior; and this made a more or less permanent body, not affected by political changes, and subject to change only by the gradual addition of new members. It was not a salaried office, since the justices received not less than one dollar nor more than three dollars a day for the time actually in attendance upon the court. The position called for the exercise of rather high judicial and administrative powers, and hence men of prominence and of business experience were usually selected and were willing to serve. In more than one instance men who had been members of the supreme and superior courts were chosen as chairmen of the county court.

Change to Commission Form

During the Reconstruction period, in 1868, a new constitution was adopted, providing for an entirely new system of county government. A board if five county commissioners, elected by popular vote from the county at large, to serve for a term of two years, became the most important governing body, to which was committed all the administrative duties formerly belonging to the county court. They chose one of their number as chairman, and the register of deeds became the clerk of the board. In addition to this, there was a subordinate township organization, known as the township trustees, composed of two justices of the peace and a clerk. These were also elected by popular vote and had charge of the roads and bridges in the township, and could levy and collect taxes for township purposes, subject to the supervision of the county commissioners. There were justices of the peace, as before, but they were elected in each township by popular vote to serve for two years, and had only judicial powers except as members of the township trustees.

In theory, this was a democratic system, directly dependent upon the popular will, subject to short terms of service, and with a divided responsibility in the dual township and county organizations. For various reasons the

plan was not satisfactory at the time. The change from what the people had been accustomed to so long was complete and sudden; public affairs were in an unsettled condition; and the new, inexperienced and irresponsible element in the voting population, caused by the recent enfranshisement of the negroes, had to be considered. The result was a change in the constitution in 1875.

By this amendment to the constitution the county government was not changed in form, but it was taken out of the realm of constitutional provision by authorizing the general assembly to abrogate the plan or change it at discretion. The first tendency was to return to the old form with some modifications. The county commissioners were retained as the governing body, in number from three to five, but instead of being elected by popular vote, they were elected by the justices of the peace of the county. The justices were elected by the gneral assmbly instead of by popular vote, and certain duties, like levying taxes, locating public buildings, etc., were to be performed by the commissioners with the concurrence of the justices, in joint meeting for that purpose. The township organization as a separate governmental unit was discontinued, except as to certain minor duties connected with the keeping in repair of the public roads and in laving out private roads or cartways.

This plan continued in operation for about twenty years, or until 1895, when the general assembly again restored the election of commissioners and justices by popular vote, and following the franchise amendment in 1901, this has continued as the plan of government to the present time. The justices no longer have any voice in the administration by the commissioners, unless the general assembly has made some modification to meet peculiar conditions in certain counties; and the general assembly still exercises the power of appointing or electing justices of the peace in addition to those elected by popular vote.

Period of Adjustment

Having finally settled that an elective board of commissioners should be the central unit in the county government, the adjustment of that plan to meet the requirements of changing conditions in local affairs has given rise to a more or less complicated organization. It was the original

idea that the whole administration should be in the hands of this central board, consisting of three or five members, but it has been the tendency to divide the duties and responsibilities by the creation of co-ordinate or subordinate boards or by transferring some of these duties to other organizations. This may be better understood by a consideration of some of the more important duties.

Taxation—The taxing power has been consistently left under the control of the commissioners, to be exercised under restriction imposed by the constitution or by legislative enactment. For many years there was a constitutional equation between the property tax and the poll tax, which had to be observed in levving general taxes for state and county purposes, in that the poll tax should be equal to the tax on \$300 of property and should not exceed two dollars; but this was changed by an amendment in 1917, fixing the poll tax at two dollars and the property tax at 15 cents on the \$100 for general state and county purposes. The state levy is limited to five cents, but since it is the present policy not to levy any state tax on property. the whole amount is left for the counties. If a larger amount is required for any purpose, it is necessary to obtain the legislative consent either by general or special act, specifying the purpose for which it is levied; and if it is for other than necessary expense, the proposition must be submitted to the popular vote and receive a majority of the qualified vote. Even for necessary expense, the general assembly may require the question to be submitted to the popular vote, and in that case a majority of the vote cast would be sufficient.

For the purpose of assessing property and listing property and polls, the commissioners appoint annually, at their meeting in April, a supervisor for the county, and he appoints assistants in each township. The supervisor and assistants meet and consider plans for a uniform assessment, and when the lists are completed they meet again to compare results, and then report to the commissioners. The commissioners meet as a board of equalization to hear complaints and to adjust inequalities as far as possible. There is also a state board of assessment which is authorized to consider the reports from the counties and to revise assessments so as to obtain equality of tax burden in the whole state.

It is the intention of the law that both real and personal property shall be assessed for taxation at its actual value in money, but it is very difficult to carry out this intention. Personal property is listed each year, and the list-taker must depend almost entirely upon the honesty of the owner as to the amount and value of personal property returned, while real property is assessed every four years and remains at this valuation in the meantime unless improvements are placed upon the property. This would seem to be a reasonable plan to get an equitable valuation, and there has been improvement in this respect under a new assessment law during the last four years, but there are still many inequalities existing between adjoining counties and townships, and even in the same locality. This would necessarily arise under any system, since the value depends upon so many varying circumstances, but it is especially true where the time allowed is short, only about two months, and the compensation, about four dollars a day for the time actually engaged, is inadequate for such a difficult task.

After the reports of the assessors are made, the commissioners proceed to levy the tax upon the property and the poll, and also such privilege taxes as they are authorized to levy; the clerk of the board prepares the tax-books and delivers them to the sheriff for collection.

Contracts—The commissioners are authorized to make all contracts for carrying on the business of the county. including the appropriation of funds, borrowing money, issuing bonds, etc., and so long as it is for a necessary expense they have a wide discretion which neither the citizens nor the court can interfere with, unless it appears that there is an abuse of that discretion. If the purpose is for other than necessary expense, they can incur no expense nor pledge the credit of the county without first obtaining the legislative consent and a majority of the qualified vote. The general assembly may, however, restrict the contract power by limiting the amount or by requiring the popular vote. In one instance, the commissioners wished to repair the courthouse, and the general assembly limited the expenditure for that purpose to \$5,000. They made a contract and the work was done for \$6,500, but the court held that the contract was invalid as to the \$1,500 excess. In another instance, the commissioners wished to build a new

courthouse, and the general assembly required the question to be submitted to the popular vote, and it was voted down. Later this act was repealed by an act restoring the general power, and the commissioners made a contract and issued notes for \$50,000 to build a courthouse, and their action was sustained. Where a certain department of the county business has been transferred to another board, as in the case of roads and schools, the commissioners must make provision for raising the money, but they do not control the expenditure.

Public Roads—The construction and care of the public roads and bridges come within the power of the county commissioners, to be exercised under the general law or under some special enactment. The original plan of keeping the roads in repair was the manual labor plan. The commissioners divided the roads into sections, appointed overseers for the sections, and assigned as "hands" to work the roads all able-bodied male citizens between the ages of 18 and 45, who were required to work six days in the year or to pay one dollar a day. This duty was later transferred to the justices of the peace in the townships and still belongs to them where the plan is in force. This plan is still on the statue book, but is probably not very generally used, since it has always been considered burdensome and not very satisfactory.

The next step was to authorize the county commissioners to use the public money to employ a special road force, or in many couties to employ convict labor. This has been followed by the plan now in operation in most of the counties, the creation of a special road commission either for the county at large or for a special township or district. the members to be appointed by the commissioners, and the money for road purpose, derived from general or special taxes, is deposited in the bank to the credit of the road commission and subject to their control. The state highway commission has charge of constructing state highways through the various counties, and in this way there has been a wonderful improvement in the highway system in the state during the last few years. The county road commissions are required to act under the direction and advice of the state highway commission; and with funds raised by special taxes, bond issues, loans from the state, and federal aid, the counties are beginning to have an excellent

system of county roads to supplement the state highways. Public Schools-It was contemplated in the beginning that the county commissioners should have control of the public schools as a part of the general business of the county, and they acted for several years as a board of education. Under a later general school system of the state, a county board of education was created, consisting of three members elected by the general assembly to serve for two years. Some attempts have been made to have this board elected by popular vote, but these have not succeeded except so far as to require each political party to recommend names to the general assembly, and the boards are named from these. The county board of education elects a county superintendent of schools, who has the general supervision of the schools in the county and also acts as clerk of the board. The county board of education establishes school districts, appoints school committees, locates and builds schoolhouses, appropriates the school money, and performs all other duties connected with the public schools of the county, except in the graded schools which have their own organization. The county board and the superintendent act under the direction of the state superintendent and state board of education, and thus become a part of a more complete organization than the other departments of the county government.

The money for the support of the public schools is derived from various sources, from the poll tax, general school tax, special school tax, and fines and penalties. The funds appropriated by the state for schools is used as an equalizing fund for the counties in order to provide a sufficient fund to run the schools for six months in the year. In addition to the levy for other county purposes, the commissioners are required to levy a sufficient tax, with the amount received from the state, to run the schools for six months; and if funds for a longer term are desired, it is necessary to have the legislative consent and the popular vote. Before the county school tax is levied, the board of education submits to the commissioners a budget showing the estimated amount necessary to run the schools for the year, and the commissioners must levy that amount, unless they think the estimate is too large; and in that case the clerk of the superior court acts as arbitrator, with the right of either board to appeal to the judge of the superior court.

Elections—The commissioners formerly had the control over the election machinery in the county, by establishing voting precincts, appointing election officers, receiving returns, etc., but this duty is now in the county board of elections, appointed by the state board of elections.

There are other duties of the county commissioners in addition to those mentioned, but these are sufficient to show their general powers and the way in which those

powers have been distributed.

Other County Officers

The other county officers are elected by popular vote, to serve for such terms and to perform such duties as may be designated in the law creating them. The county commissioners have nothing to do with their selection nor with the performance of their duties, except to approve their official bonds when they are inducted into office and to see

that they account for any public funds collected.

The clerk of the superior court is elected for four years and, in addition to keeping the court records, he has certain important judicial duties, as in probate matters, as a part of the superior court in special proceedings, and as judge of the juvenile court. The sheriff is the process officer of the superior court and tax collector of the county, and serves for two years. The register of deeds is elected for two years, keeps the records of deeds and other instruments requiring registration, issues marriage licenses, and is the clerk of the board of commissioners. The treasurer is also elected for two years, and has the duty of keeping the public money and paying it out under warrants from the poper authority. This office has been abolished in many counties, and the duties are performed either by the sheriff or by a bank selected by the commissioners for that purpose. The bank receives no compensation except the advantage of having the money on deposit without interest. A county surveyor and a coroner are also elected for two years, but these offices are not of very great importance. There is also a county board of health, composed of certain officers of the county, with two physicians; and a public health officer is now elected by the county commissioners and the county board of education.

Compensation of Officers

The best paid officers in the county are the sheriff, the

clerk of the superior court, and the register of deeds, and usually in the order named. For many years these officers have received their compensation under the fee system, receiving a certain amount fixed by law for each item of work; and since they made no report of such fees, it was difficult to tell exactly what the compensation would be. It may be presumed, however, that since the officer's pay depended upon his fees, he would be reasonably diligent in collecting. The sheriff also receives a certain per cent for taxes collected, and the treasurer a certain per cent upon the money received and disbursed. In both instances the percentage is fixed by statute and is somewhat subject to the discretion of the county commissioners.

In many counties, within recent years, there has been a change from the fee system to the salary basis for the officers mentioned, and the officers are required to collect the fees and turn them into the general county funds. There is a difficulty here, however, in keeping an account of the many small fees collected and in checking up to see whether the accounts are correct; and besides, since the compensation no longer depends upon the fees, there may not be the same diligence in collecting. There can be no great degree of regularity in fixing these salaries, because the work is so much greater in some counties than in others. So far as the special statutes for different counties show, these salaries vary as follows: Register of deeds, from \$1,000 to \$3,000; clerk of superior court, from \$1,000 to \$3,500; sheriff, from \$1,500 to \$10,000.

The county commissioners are paid a per diem and mileage, varying from two dollars to five dollars a day for each day of their meetings, but the meetings are limited to the first Monday in each month, with two or three special meetings. They may have a called meeting at any time, but they receive no pay for such meeting. The total number of days for which they receive pay during the year would probably not exceed thirty, though a different rule may apply in different counties by special act. In some counties the chairman is made a whole time officer, with a salary varying from \$1,000 to \$3,000; and in one or two counties all three members are made whole time officers at a fixed salary, with a larger amount paid to the chairman. The members of the board of education are also paid a per diem of five dollars a day and mileage, and they

also fix the pay of the county superintendent upon a per diem of three dollars a day or upon a salary based upon the amount of funds disbursed. The road commissioners are paid a per diem to be fixed by the county commissioners.

Accounting System

The county treasurer is required to settle annually with the sheriff for all the county taxes, and also with all other officers who receive public funds. The county commissioners are required to appoint one or more of their number as a finance committee to be present and supervise the settlement of the sheriff and other officers with the treasurer, and then to make settlement with the treasurer and make report to the board. The clerk of the board is required to publish annually a statement showing in full the receipts and disbursements for the year. The board of education settles with the treasurer for the school funds of the county, and a statement is published and a copy filed with the state superintendent. The road commissions are also required to publish a statement of funds received and disbursed, and a copy is filed with the register of deeds for public inspection.

In some counties a county auditor is appointed or elected, whose duty it is to audit all the accounts and to make all the settlements with the county officers; in other counties the commissioners employ special auditors or accountants for the purpose or make arrangements to have the auditing done through the state auditor's office; and a recent statute makes it the duty of the state auditor to audit the accounts of the counties once a year, and oftener if he thinks it necessary. This statute has been in operation only a short time, and probably has not been yet generally applied except in cases in which the circumstances seemed to make it necessary.

The purpose of this paper has been to give some idea of what the county government in North Carolina is, and not to discuss so much what it should be. That there are defects in it, is very true, but the same may be said of other systems. There is a lack of uniformity in organization, which may not be altogether a defect, since conditions are not the same in all sections of the state. It is not well co-ordinated, but rather loose-jointed, in that the various offices and departments are more or less independ-

ent of each other. And this suggests what may be the most apparent defect that it is a community government without even a nominal head. No particular officer can be considered, in any sense, the responsible head of the county government. The chairman of the board of commissioners may be such in theory, but he is in fact only what his title implies, the presiding officer of the board at its meetings, and he has no duty or authority otherwise unless it has been delegated to him as the representative of the board. In the few counties which now have a whole time chairman, with definite duties prescribed, there appears to be some recognition of the necessity for such a head officer.

The compensation generally provided for the county commissioners and the board of education would seem to be inadequate for the duties and responsibilities involved. It appears to be a cheap form of government, but that often proves to be an expensive form. No question is raised as to the honesty and good intentions of the men selected for these positions, but they are often men without the experience and business training required for such duties. The short term and the popular election may make them particularly responsive to the public will, but the change which may take place every two years may seriously interfere with working out any well defined policy. While they are not strictly political offices, party affiliation is nearly always considered in their election, but there is no criticism that the office is made the opportunity for graft or political corruption. There is no definite and generally accepted plan for making reports of finances so that they may be readily understood, and in many instances it might be difficult to ascertain the exact financial condition of the county at a particular time.

While this is a commission form of government, in that it is a government by commissioners, it is far from the commission form as found in municipal corporations. In at least one county the latter form has been recognized in making the commissioners whole time officers and assigning to each a particular department of the public work. There is a state organization of county commissioners which meets annually to discuss the various questions of county government, and this may lead to a more general knowledge of the conditions in the different sections of

the state, and finally bring about a more unified and consistent plan. The county is considered only as an agency of the state for governmental purposes, and not an organization for local self-government as in a municipality; and for this reason little legislative power has been conferred upon it, except that involved in taxation, and no police power in the sense that it may pass ordinances for its internal government. This is as it should be, since there are in the state one hundred of these separate governmental agencies, all engaged in the same work and to carry out the same purpose, and it might lead to greater confusion to confer upon them any extensive legislative or police power.

The study of the history and progress of the state for one hundred years under one form of county government, and for fifty years under another form, may not show much as to the comparative merites of those forms; but it does show that a system of county government is not made once for all, like an inflexible machine but that it is a growth and a development through the years to meet

the changing conditions of a growing state.

Lesson IV

TOWN AND CITY CITIZENSHIP

By MRS. CHAS. W. TILLETT, JR. Publicity Chairman, North Carolina League of Women Voters

The Mecklenburg county league of women voters has each year a program on city government. Realizing that no form of city government will show any permanent beneficial results greater than what is efficiently demanded by the people at the ballot box, this program has been held a few weeks prior to the election of city officials with the hope of stimulating intelligent interest on the part of women in casting their ballot for the betterment of city government. Much can be said on the value of one form of city government over another, but the fact remains that no matter what form of government a people may have, if they choose their officers with poor judgment, or from low motives, the government they will get will be proportionately unsatisfactory and the results the same regardless of the plan they have adopted.

When programs on city government have been held, emphasis has always been placed on the fact that no woman can stay out of politics even if she wishes to do it, for no matter how securely she may sit in her home the matter of sanitation, or of public safety as to law enforcement, fire, or traffic regulations, etc., will react on her life and

that of her children.

It is my purpose in this article merely to outline the program as conducted by the Mecklenburg county league of women voters, so that other leagues and clubs may conduct like programs in their own communities. It has been the experience of this organization that women have been more stimulated to inform themselves on city government and to exert themselves to secure worthy representatives in those departments than by any other program that has been held on municipal government. As I have previously stated, these programs have been held at the meeting preceding the election of city officials. Prior to the meeting a committee from the league visited the candidates for office in the city and invited all the candidates for each office to be present and state to the league members what they would do if elected to the office which they were seeking. The candidates have been asked to devote the time allotted

them to what they would do, if elected, and not to what their opponents would not do. This has always been stressed and the program has never been in the nature of a debate between candidates. If a league or club wishes to have its program on municipal government at some other meeting than that preceding the election of city officials, the men and women who are holding office may be invited to tell of their work and the same general plan followed.

The government in Charlotte is the commission form, given in Consolidated Statutes of North Carolina as Plan C. Under this plan the government of the city is vested in a board of commissioners consisting of three members: the mayor, the commissioner of public works, and the commissioner of public safety. These commissioners are "empowered to appoint, elect, employ, suspend, and discharge all other officers and employees necessary for the operation and management of the city government and its various departments and activities, and to make all necessary rules and regulations for their government; and full power and authority is granted the board of commissioners to enact all laws and ordinances for the proper government of the city."

After the president of the league has explained this she next takes up the powers and duties of the mayor which, briefly stated, are as follows:

The mayor is the chief executive officer of the city and presides at all meetings of the board of commissioners. He has general oversight over the departments of city government and reports to the board the failure of any officers of any department to perform their duties. He signs all contracts on behalf of the city and has published all statements and reports unless otherwise provided for by law, or ordinance or resolution of the board of commissioners.

He is the commissioner of administration and finance and as purchasing agent of the city, all property, supplies and materials of every kind are purchased by him upon the order of the board of commissioners.

He is collector of all money due the city. He reports to the board the failure of any person, firm or corporation to pay money due the city or to make such reports as are required by law. He issues licenses and permits.

He has supervision of all accounts, records and pay rolls

of the city. He is responsible for the inspection of all records and for the recommendation of modern methods of bookkeeping in all departments.

The assessor, auditor, city clerk, city attorney and all their employees come under his department.

It is the duty of the mayor to act in the absence or inability of any commissioner.

After stating this the president of the league introduces the mayor who speaks, telling of the work he expects to do or is doing, as mayor.

When the mayor has finished, the president of the league explains the duties of the commissioner of public works and introduces him and he tells of the work he expects to do, or is going in his office.

The duties of the commissioner of public works are as follows:

The commissioner of public works has charge of the construction, cleansing, sprinkling, and repair of the streets and public places, the erection of buildings for the city, the making and construction of all other improvements, paving, curbing, sidewalks, bridges and the repair of these. It is his duty to keep in good condition the streets, cemeteries and public parks of the city, and to enforce the ordinances relating to these. He controls the placing of bill-boards and street waste-paper receptacles. He has control over the public utilities and over persons, firms or corporations rendering service in the city unless they have been assigned to some other department. He has control of the location of street car tracks, telephone and telegraph wires and all other things placed by public service corporations. He has control over the water system of the city and over all things connected with a proper supply of water for the city. The department of city engineer and the departments of streets, parks, cemeteries, buildings and all employees in these departments come under his supervision.

The same plan is followed in regard to the commissioner

of public safety whose duties are as follows:

The commissioner of public safety has charge of the police force, subject to the control of the board of commissioners. The police stations, jails, city ambulance and patrol wagons are in his charge. He has control of the city fire department. It is his duty to enforce all ordinances relating to traffic. He has control of all laws, ordinances

and orders relating to public health. It is the duty of the board to pass such regulations as are necessary to preserve public health. The health department comes under his supervision. He is charged, through his department, with the enforcement of all quarantine regulations, of keeping clean all streets, alleys and public places, and with suppressing and removing conditions on private property within the city that are a menace to health or public safety. He has control and supervision of the sewer and lighting systems of the city. He has charge of the following officers: The electrical inspector, plumbing inspector and the employees of the market house.

The space allotted does not permit giving the details of the other forms of municipal government in North Carolina. They are to be found in the Consolidated Statutes of North Carolina under "Municipal Corporations," chapter

56, article 19.

They are known as:

1. Plan "A." Mayor and city council elected at large.

2. Plan "B.". Mayor and council elected by districts and at large.

3. Plan "D." Mayor, city council and city manager. A copy of "Consolidated Statutes of North Carolina" may be obtained by the program leader from some lawyer in the community and can be readily used in the preparation of the program.

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Lesson V

ADMINISTRATIVE DEPARTMENTS, BOARDS AND COMMISSIONS

By H. M. LONDON, Legislative Reference Librarian

A. Administrative

Adjutant General's Department. Department of Agriculture. Department of Labor and Printing. Department of Insurance. Department of Revenue. State Corporation Commission. State Highway Commission. State Board of Health. State Laboratory of Hygiene. Department of Conservation and Development. Board of Charities and Public Welfare. Child Welfare Commission. Fisheries Commission Board. Historical Commission, Including Legislative. Reference Libray. Library Commission. State Library. Supreme Court Law Libray. State Prison.

B. Regulatory and Advisory

Audubon Society.
Printing Commission.
Budget Commission.
Salary and Wage Commission.
Educational Commission.
Advisory Board of Parole.
State Pardon Commissioner.
State Board of Equalization.
State Board of Education.
Municipal Board of Control.
Board of Public Buildings and Grounds.
State Text-book Commission.
State Committee on High School Text-books.

Appalachian National Park Commission.

State Board of Elections.

State Board of Canvassers.

State Board of Pensions.

Board of Medical Examiners.

Board of Examiners of trained nurses.

State Board of Embalmers.

Board of Pharmacy.

State Board of Examiners in Optomerty.

State Board of Dental Examiners.

State Board of Osteopathic Examiners and Registration.

State Board of Chiropractic Examiners.

Board of Chiropody.

State Board of Registration for Engineers and Land Surveyors.

State Board of Architectural Examination and Registra-

State Board of Accountancy.

Board of Veterianary Medical Examiners.

Board of Commissioners of Navigation and Pilotage.

State Board of Vocational Education.

State Standard Keeper.

State Institutions

University of North Carolina, Chapel Hill. N. C. State College for Women, Greensboro.

N. C. State College of Agriculture and Engineering, Raleigh.

Cullowhee Normal School, Cullowhee. Appalachain Normal School, Boone.

State School for the Blind and Deaf, Raleigh.

N. C. School for the Deaf, Morganton.

Stonewall Jackson Manual and Industrial Training School., Concord.

East Carolina Teachers College, Greenville.

Caswell Training School, Kinston.

Samarcand Manor, Samarcand.

Central Hospital, Raleigh. Western Hospital, Morganton.

N. C. Sanatorium for Tuberculosis, Sanatorium.

N. C. Orthopaedic Hospital, Gastonia.

East Carolina Industrial and Training School, Rocky Mount.

Soldiers' Home, Raleigh. Confederate Women's Home, Fayetteville. Oxford Orphanage for White Children, Oxford.

For the Colored Race

Negro Agricultural and Technical College, Greensboro. State Negro Normal, Elizabeth City.
Negro Normal, Fayetteville.
Slater Normal School, Winston-Salem.
N. C. College for Negroes, Durham.
N. C. Orphanage for Colored Children, Oxford.
Eastern Hospital, Goldsboro.
Morrison Training School for Negroes, Hoffman.
Indian Normal School. Pembroke.

Lesson VI

THE LEGISLATURE

By MISS GERTRUDE WEIL,

First Vice-President, North Carolina League of Women Voters
The legislative power of the state government is vested
in the general assembly, which consists of two branches:
the senate and the house of representatives.

It meets biennially, on the first Wednesday after the first Monday in January of odd numbered years, continuing in regular session sixty days. Special sessions may be called by the governor.

The senate is composed of fifty senators, elected biennially, from the fifty senatorial districts, which are determined by legislative act according to population and not changed oftener than once in ten years. A senator must be at least twenty-five years old. He must have lived in the state as a citizen for two years and in his district one year immediately preceding his election. The lieutenant-governor presides over the senate, but has no vote except in case of a tie. Its other officers are chosen by the senate, including a speaker pro tempore, who acts in the absence of the lieutenant-governor.

The house of representatives is composed of one hundred and twenty-five representatives, chosen biennially. Each county elects at least one representative. The number of representatives of the respective counties is based on proportional population. Each representative must be a qualified elector of the state and have lived in the county represented at least one year immediately preceding his election. The house chooses its own speaker and other officers.

Members of the general assembly are elected on the Tuesday after the first Monday in November in even numbered years.

They receive four dollars a day during the regular session, for a period not exceeding sixty days; should the session be extended beyond this limit, they serve without compensation. During an extra session the compensation is at the same rate as during the regular session, for a period not exceeding twenty days. Mileage is allowed all members at the rate of ten cents a mile for one trip by

shortest route from member's home and return. The presiding officers receive six dollars a day and mileage.

Except for the constitutional prohibition of local and special laws on certain topics, the legislature has power to pass laws in harmony with the constitution. A proposed law is called a bill, and may be introduced in either house. Every bill must be read three times in each house, and, as provided for in the constitution, "no law shall be passed to raise money on the credit of the state, or to pledge the faith of the state, directly or indirectly, for the payment of any debt, or to impose any tax upon the people of the state, or allow the counties, cities or towns to do so, unless the bill for the purpose shall have been read three several times in each house of the general assembly and passed three several readings, which readings shall have been on three different days, and agreed to by each house respectively, and unless the yeas and nays on the second and third readings shall have been entered on the journals."

The procedure in making a law is as follows: The legislator introducing the bill sends it to the clerk of the house of which he is a member. The clerk reads the title of the bill and the name of the introducer, and this constitutes the first reading. The bill is then referred to the appropriate committee. (In 1925 there were forty-three standing committees in the senate, forty-seven standing committees in the house, and seven joint committees.) A bill, however, may, by unanimous consent, be placed upon the calendar for immediate passage without reference to a committee (except appropriation and revenue bills). When referred to a committee there may or may not be a public hearing, but opportunity is given to any one to express his views before the committee, either in support of or in opposition to the measure. A public hearing is not usually had unless the bill is of such general interest that the committee deems it advisable or unless some one requests a public hearing.

A bill may be reported out of committee favorably or unfavorably. If favorably, it goes on the calendar. If unfavorably, it goes to the unfavorable calendar, but may be called up at any time on the floor of the house by the introducer and debated on the floor. If placed on the favorable calendar, the second and third readings may be

had the same day, in the case of all bills except revenue bills.

After a bill is passed regularly in one house it goes to the other. The mere carrying of it from one house to the other, the placing of it with the clerk, and his reading of its title and the number given the bill in the other house, for the purpose of having it referred to a committee constitutes the first reading. The bill then takes the same course as in the former house, but if amendments are adopted they must be accepted by both houses before the bill becomes a law. When finally adopted and signed by the presiding officers of both houses the bill becomes a law and is sent to the engrossing clerk to be inscribed among the statutes of the state.

Lesson VII

THE EXECUTIVE DEPARTMENT

 $\begin{array}{c} \textbf{Prepared by MR. CARL HILL} \\ \textbf{of Raleigh, at the request of Gov. A. W. McLean} \end{array}$

The Governor

The governor of North Carolina is a constitutional officer, elected by the people. His term of office is four years and he is limited to one term in any period of eight years unless he becomes governor by having been lieuten-

ant-governor or president of the senate.

In case of the impeachment of the governor, his failure to qualify, his absence from the state, his inability to discharge the duties of his office, or should the office become vacant from any cause, the power, duties and emoluments of the office devolve upon the lieutenant-governor until the disabilities cease or a new governor is elected and qualified. In the event of the lieutenant-governor being unable to qualify or serve as governor, the president of the senate (elected from among their own members by the senate) serves as acting governor until the disabilities are removed or a new governor or lieutenant-governor is elected and qualified.

Qualifications:

The constitution requires that the governor shall be at least thirty years of age, shall have been a citizen of the United States five years and a resident of the state of North Carolina for two years next before election.

Council of State:

In the execution of his office, the governor, under a constitutional provision, is advised by a body known as the council of state. This is an ex-officio agency composed of the secretary of state, the auditor, the treasurer and the superintendent of public instruction. The attorney-general, while not a constitutional member, is the legal advisor to the council. Three members constitute a quorum and meetings are held on call of the governor. The constitution, properly, does not define the powers of the council of state. As a result, this agency through the years has developed into an important factor in the administra-

tion of state affairs. It is in effect the governor's advising body; it does not, of course, include the majority of the departments. It is important to remember that the members of the council are often re-elected for a number of terms and remain in office for years, whereas the tenure of the governor is limited to a single term of four years. Consequently, their familiarity with local problems and conditions is often of great help to the governor.

Constitutional Powers and Duties:

The constitutional powers and duties of the governor may be grouped under four classes as follows:

1. Administrative Duties—The governor is the administrative head of the state government by virtue of section 1 of article III of the constitution, which specifically provides that in the governor "shall be vested the supreme executive power of the state." As such he is charged with the responsibility of the management of the various departments and institutions, the state's finances, and the carrying out of the party policies during his administration. It should be noted that while such responsibility is vested in the governor both under constitutional mandate and in the mind of the voter, actually, his authority until recently has been limited.

2. Military Duties—The governor is the commanderin-chief of the militia of the state except when they are called into the service of the United States. Under constitutional authority, the governor is the only official em-

powered to call out the militia.

3. Pardoning Powers and Duties—Under the constitution the governor is the only official who has the power to grant reprieves, commutations and pardons after conviction for all offenses except impeachment. If a prisoner, for example, has been sentenced to die on a certain date, the governor may grant a reprieve, that is, stay the execution; or he may commute the sentence from death to life imprisonment; or he may grant a parole or absolute pardon.

Until the enactment of the law passed at the 1925 session creating a pardon commissioner, a large part of the governor's time was spent in the investigation of and passing upon pardon cases. Under the new act the investigation is made by the pardon commissioner, who presents the facts and his recommendations to the governor. Final de-

cision is then made by the governor unless he wishes to make a personal investigation. This act has not only resulted in more thorough investigations and hearings of pardon cases than was heretofore possible, but gives the governor more time than formerly for administrative affairs.

4. Miscellaneous Duties—In addition to the foregoing, the constitution imposes a variety of miscellaneous duties and responsibilities upon the governor. He is required to receive reports from departments and institutions and to transmit same to the general assembly; to call extra sessions of the general assembly when he thinks necessary, by and with the advice of the council of state; to appoint, by and with the consent of the senate all officers whose offices are established by the constitution and whose appointments are not otherwise provided for; to have custody of and to use when necessary "the great seal of the state of North Carolina"; to perform such other duties as prescribed by statute.

Constitutional Limitations:

North Carolina is the only state in the union which withholds the veto power from the governor. This means that when a bill passes both houses and is ratified, it automatically becomes law without action by the governor. This, of course, is a very serious limitation upon the powers of the governor.

Statutory Powers and Duties:

Briefly described, the statutory powers and duties of the governor are as follows:

- 1. To supervise the official acts of all executive and administrative officers and to visit all state institutions whenever he deems such visitation necessary to inquire into their management and needs.
- 2. To see that all public offices are filled and their duties performed.
- 3. To make such departmental and institutional appointments as are required by law.
- 4. To represent the State of North Carolina in all official relations with other states or the government of the United States. He alone can act in such capacity.
- 5. To supervise generally, and specifically where required by law, the management and administration of the

affairs, finances and policies of the several departments, boards, agencies and institutions of the state. Such administrative control was largely made possible by enactment of broad-gauged laws passed by the 1925 general assembly. The more important of these laws are mentioned below with brief descriptive comment. They fall roughly into two classes, viz., fiscal measures and administrative measures.

Fiscal Measures—Executive budget act which makes the governor the director of the state's budget and responsible for the balancing of expenditures and receipts; sinking fund commission act, which creates a board of which the governor is chairman, for the purpose of supervising the sinking funds set up to retire our bonds; salary and wage commission act, which provides for the classifying and equalizing of the salaries of all state employees and gives the governor power of final approval; emergency loan act, which gives the governor and council of state the power to borrow money in excess of legislative appropriations in case of destruction of the state's property and in certain other emergencies; other fiscal measures designed to strengthen the financial structure of the state and to place it on a sound and business-like basis.

Administration Measures—The purpose of these acts was to enable the governor to exercise closer supervision over the affairs of the various state departments and institutions, and throughout to raise the standards of service and efficiency. These acts relate to such matters as the consolidating of tax collecting agencies and departments, the regulating of motor bus lines, the reorganization of the state's prison, the creation of a department of conservation and development, the regulation of the sale of securities, the regulation of public printing, the creation of a pardon commissioner and the control of public owned automobiles.

In practically every one of these laws, the governor, as the executive head of the state, is given latitude in actively participating in their execution or else in making the appointments of persons whose duty it is to carry them out. The intent of the legislature in passing these measures was not to clothe the governor with autocratic powers, but merely to give him authority commensurate with the responsibility involved. Without adequate authority the governor cannot effectively execute the laws he has sworn to uphold. It should be noted that besides the governor and lieutenant-governor, there are twelve administrative officers in the state government who are elected by the people. As a result, the governor cannot exercise the same supervision over these officers as he could if they were appointed by him. These laws then, for the most part, enable the governor to develop a closer relationship between the executive and administrative departments and to strengthen the whole structure of our state government.

Ex-Officio Duties:

In addition to the duties prescribed by the constitution and various laws, the governor has another class of duties which requires a great deal of his time and thought. By virtue of his office, he is either chairman or a member of many important boards, commissions and other agencies. the most important of which are mentioned below. He is president of the state board of education, director of the budget and chairman of the budget commission, member of the state board of buildings and grounds, member of the state pension board, member of the state printing commission, member of the state library board, commanderin-chief of the state militia, of which mention has been made, chairman of the sinking fund commission, of which mention has been made, member of the state board of canvassers, president of the board of trustees of the university, state college and other state institutions.

Besides being a member of these various boards, the governor is required by law to make appointments to various institutional boards and administrative bodies, a responsibility which calls for the exercise of judgment and wise deliberation.

Conclusion:

In summing up, we find that the governor derives his powers both from the constitution and from statutes. The general assembly can add to or lessen the duties and responsibilities of the governor in so far as such action does not conflict with the duties and responsibilities imposed by the constitution. The governor is the direct representative of the people who look to him, rightly or wrongly, for the success or failure of an administration. His is a

high honor, with a great responsibility; but in our glorious history, few have failed to measure up to the great responsibilities imposed.

Lesson VIII

THE JUDICIARY

By JOHN J. PARKER, United States Circuit Judge

NOTE—This article is not intended as in any sense a treatise on the jurisdiction or procedure of the courts. Its purpose is merely to give a bare outline of the structure and functions of our judicial system for the benefit of those who are not familiar with its workings.

Nature of Judicial Power—Our American system of government provides for a separation of the legislative, executive and judicial functions. The legislative department enacts laws and provides the machinery for their execution. The executive department enforces the laws and carries on the business of the state. The judicial department interprets and expounds the law and applies it to the settlement of controversies arising either between the state and its citizens or between individuals. The exercise of judicial powers is entrusted to the various courts, state and national, and is exercised by them in the decision of cases arising within their jurisdiction. By jurisdiction is meant the legal power, right or authority to hear a cause and to pronounce judgment therein.

Division of Judicial Power Between State and Federal Courts—A peculiarity to be noted in the study of American institutions is the dual nature of the government under which the American citizen lives. The American people have created the national government for dealing with foreign nations and for the regulation of matters extending beyond the boundaries of the several states. They have created state governments for the regulation of matters of local concern. Every citizen of North Carolina is therefore a citizen of two governments, the state of North Carolina and the United States of America, each supreme within its own sphere of activity. The state is a sovereignty of general powers possessing all of the functions and attributes of government not delegated to the national government by the constitution of the United States. The national government is a government of limited functions. possessing only such powers as are given it by the constitution. The state courts, therefore, are courts of general jurisdiction, whereas the jurisdiction of the federal courts is limited to the cases over which they are given jurisdic-

tion by the constitution or by acts of Congress passed pursuant thereof. This, however, does not mean that the cases within the jurisdiction of the federal courts are either few in number or lacking in importance. On the contrary the constitution confers jurisdiction on the federal courts of all cases arising under the constitution and laws of the United States, or treaties made by the national government, cases affecting ambassadors, other public ministers and consuls, cases of admiralty and maritime jurisdiction, cases to which the United States is a party, controversies between citizens of the same state claiming land under grants from different states and between a state or citizens thereof and foreign states, citizens or subjects. The jurisdiction existing on account of diversity of citizenship has brought into the federal courts almost all kinds of civil litigation. And to visualize the magnitude of the jurisdiction in the class of cases "arising under the constitution and laws of the United States," it is only necessary to remember that this designation embraces among many other classes of cases those arising under the national prohibition act, the patent laws, the bankruptcy act, the laws regulating the currency, the postal laws, the laws regulating interstate commerce, and the cases in which it is claimed that statutes of the several states deprive citizens of life, liberty or property without due process of la wor deny to them the equal protection of the laws. It is manifest therefore that any article on the judiciary of North Carolina must deal with the federal courts as well as with the state courts, as the federal courts are an integral part of the judical system of our people, and are as much our courts as are the courts of the state.

The State Judicial System. The Supreme Court of North Carolina—The highest court of the state is the Supreme Court. It sits at Raleigh and is composed of a chief justice and four associate justices. W. P. Stacy of Wilmington is the present chief justice; and the four associate justices are W. J. Adams of Carthage, Geo. W. Connor of Wilson, Heriot Clarkson of Charlotte and W. J. Brogden of Durham. The justices of the supreme court are elected by the people of the entire state to serve for terms of eight years. The court holds two terms each year, beginning in February and August and continuing until the appeals from

the one hundred superior courts of the state have been heard.

The supreme court has no original jurisdiction, that is no power to hear a case in the first instance, except in the case of claims against the state. All other cases are heard by it on appeal from the superior courts of the several counties. These appeals are heard on printed or typewritten statements of the proceedings had in the lower courts. No evidence is heard and only questions of law are considered. If in the trial in the superior court an error of law has been committed which has prejudiced the case of the appealing party a new trial is granted or the judgment is reversed. Otherwise the judgment of the Superior Court is affirmed. The attorneys appearing in the supreme court are required to file printed or typewritten briefs of argument in support of the points on which they rely and are allowed thirty minutes on each side for oral argument. The court decides the cases in a conference of the judges by a majority vote and to one of the judges is assigned the duty of preparing an opinion in each of the cases decided. This opinion is a written statement by the court of the reasons for its decision. It is filed in the office of the clerk of the supreme court, and is ultimately published in the North Carolina reports and is cited as binding authority in similar cases. A copy of the opinion with the judgment of the court is certified to the superior court from which the case was appealed and is binding upon that court and upon the parties.

Superior Courts—The superior courts are the courts of general original jurisdiction in North Carolina, that is to say, they are the courts in which all actions must be brought unless there is express statutory provision that they be brought elsewhere. They also have jurisdiction to hear on appeal cases brought before justices of the peace and other courts of inferior jurisdiction. Each of the one hundred counties of the state has a superior court for that county presided over by one of the superior court judges

of the state.

The state of North Carolina is divided into twenty judicial districts, and from each of these districts a superior court judge is elected by the people of the entire state. These twenty districts are divided into two circuits containing ten districts each, and the superior court judges rotate within their respective circuits, being assigned to

each district within the circuit for a period of six months. This results in each judge holding the courts of each of the districts within his circuit for a six months period once in five years. The judges like the justices of the supreme court are elected for terms of eight years. It is interesting to note that although the judges are elected by the people of the entire state, they are nominated by primaries or conventions held in the districts in which they reside. In addition to the regular judges, a recent law authorizes the governor to appoint special or emergency judges to hold special terms of court.

Terms of the superior court are held in the several counties at times prescribed by law. These courts are presided over by a superior court judge, who is either the judge assigned to the district or a judge specially appointed to hold the term of court. At each term there is also present a jury drawn from the freeholders of the county by the county commissioners. The function of the jury is to pass upon disputed questions of fact. The judge presides at all trials, passes upon all questions of law, instructs the jury as to the law applicable to cases submitted to them. and renders the judgments of the court. At terms of court held for the trial of criminal cases, there is also present a grand jury which is drawn by lot from the jurors summoned for the term. The function of the grand jury is to inquire into the condition of the county's affairs, to make presentment of crimes which have been committed within the county and to pass upon bills of indictment drawn and submitted to it by the solicitor, the attorney representing the state in the prosecution of crime. The constitution of the state provides that no person shall be called upon to answer any prosecution for felony or other infamous crime except upon presentment or indictment by a grand jury. In some counties of the state, the grand jurors are selected to serve for a term of six months and are required to hold sessions at each term of the court held for the trial of criminal cases.

In England and in most of the states equity jurisprudence is administered separately from the law. Equity is the system of jurisprudence which has been built up by courts of chancery in granting relief in cases in which the rules of law, on account of their rigidity and universality do not afford a means of obtaining justice. But since 1868

the distinction between actions at law and suits in equity has been abolished in North Carolina, and equitable as well as legal relief has been administered in one form of action under a simplified procedure prescribed by a code. Briefly stated, the procedure in civil actions is as follows: Plaintiff has the clerk of the superior court to issue a summons for the defendant and has same served upon him by the sheriff. He files with the court a statement in writing, called a complaint, in which he sets forth the grounds upon which he asks relief. The defendant is then allowed a limited time within which to make answer to the allegations of the complaint or to raise legal questions with regard thereto by filing a demurrer. If he answers, the plaintiff is allowed to file a reply. These pleadings of the parties present to the court the points in controversy between them. Questions of law so raised are decided by the judge. Issues of fact are submitted to a jury. In cases involving complicated questions of accounting the court may refer the whole matter to a referee. At the conclusion of the trial a judgment is entered finally determining the rights of the parties, and from this judgment an appeal may be taken to the supreme court to secure a review of any errors of law.

Clerks of the Superior Court—The superior court of each county has a clerk who is elected by the voters of the county for a term of four years. The clerk not only keeps the records and minutes of the court, but he issues its process, and enters judgments of non suit, consent judgments and judgments by default in proper cases. He is also ex officio the judge of the juvenile court and has jurisdiction to hear cases of juvenile delinquency and award the

custody and control of juvenile delinquents.

The clerk of the superior court is also made by law the probate judge of the county. In this capacity it is his duty among other things to probate deeds, mortgages and other papers required to be registered, to probate wills, issue letters testamentary to executors, appoint and remove administrators and guardians, to require accounting from executors, administrators, guardians and trustees and to audit and pass upon their accounts, to order partition of lands in partition proceedings brought by tenants in common, to establish boundary lines in proper proceedings and to order lands sold in proper cases to pay debts of deceased persons. An appeal lies from his rulings to the judge holding the superior courts of the district.

Justices of the Peace—Justices of the peace are elected by the voters of the several townships, or are appointed by the governor. They have exclusive original jurisdiction to try civil cases arising out of contract wherein the sum demanded does not exceed \$200.00, and concurrent jurisdiction with the superior court in other civil cases wherein the value of the property in controversy does not exceed \$50.00. They have no jurisdiction, however, of any action involving title to land. They have criminal jurisdiction in misdemeanors wherein the punishment cannot exceed a fine of \$50.00 or imprisonment for thirty days. All cases tried before a justice of the peace may be appealed to the superior court where a new trial is had just as though there had been no trial before the justice. In addition to their duties as trial magistrates, justices of the peace are authorized to probate papers entitled to registration, to administer oaths and to perform marriage ceremonies. They also have certain duties as conservators of the peace which it is not necessary to consider here.

Special Courts—In addition to the courts above described, there are a number of courts which have been created for the trial of petty crimes and misdemeanors. Formerly there was in each town or city a mayor's court, the jurisdiction of which was limited to the trial of alleged violations of town ordinances. In the larger towns these courts have been superseded by recorder's or police courts, and in some counties recorder's courts have been created with county-wide jurisdiction. The typical recorder's court is given exclusive original jurisdiction of all crimes below the grade of felony, which is defined as being any crime punishable by imprisonment for one year or more in the state's prison. The recorder is usually elected for a term of two years, in some cases by the citizens of the county, in some cases by the county commissioners, and in some cases by the commissioners of the cities or towns. He is usually a lawyer and hears cases both on the facts and the law. An appeal is allowed from his judgments to the superior court and in case of appeal the case is heard anew just as though it had not previously been tried.

The Federal Judicial System—The Supreme Court of the United States—At the head of the judicial system of the United States stands the United States supreme court, recognized by common consent as the most august tribunal

in the world. This court has original jurisdiction in cases to which a state is a party and in cases affecting ambassadors, other public ministers and consuls, but its principal jurisdiction is appellate, it being the highest court of appeal in the federal system. It also has power to review the decisions of the highest courts of the several states in cases where there is drawn in question the validity of a treaty or statute of the United States, or where there is drawn in question the validity of any statute of any state on the ground of its being repugnant to the constitution, treaties or laws of the United States, or where any title right, privilege or immunity is specially set up or claimed by either party under the constitution, or any treaty or statute of, or commission held or authority exercised under the United States.

The supreme court sits at Washington City. It consists of a chief justice and eight associate justices appointed by the president by and with the advice and consent of the senate, to hold office during good behavior. Wm. H. Taft of Ohio is the present chief justice and the eight associate justices are Oliver Wendell Holmes, of Massachusetts; Willis Van Devanter of Wyoming; Jas. C. McReynolds of Tennessee; Louis D. Brandeis of Massachusetts; George Sutherland of Utah; Pierce Butler of Minnesota; Edward T. Sanford of Tennessee; and Harlan F. Stone, of New York.

The Circuit Courts of Appeals—The pressure of business in the supreme court led to the creation of the circuit courts of appeals to hear appeals from federal courts in all except a very limited class of cases. By act of February 13. 1925, the decision of the circuit courts of appeals in cases appealed to them is made final except that the supreme court may upon petition order any case heard by any circuit court of appeals certified to it for review and except that where a state statute is held invalid as being repugnant to the constitution, treaties or laws of the United States the case may be taken to the supreme court by writ of error or appeal. There are nine circuit courts of appeals of the United States, one for each of the judicial circuits into which the country is divided. North Carolina is in the fourth circuit, which embraces also the states of Maryland, Virginia, West Virginia and South Carolina. The three circuit judges of the fourth circuit are judges of the circuit court of appeals of the circuit. They are Edmund Waddill, Jr., of Richmond, Va., John C. Rose of Baltimore, Md., and the writer of this article. Each justice of the supreme court is assigned to one of the circuits as circuit justice of that circuit, and Chief Justice Taft is now assigned as justice of the fourth circuit. The supreme court justices, however, seldom sit on the circuit courts of appeals, as their time is taken up with their duties on the supreme court. The district judges of the circuit are frequently designated by the senior circuit judge to sit on the circuit court of appeals, but a district judge is disqualified to sit on any case heard by him in the district court.

In the federal appellate courts, as in the supreme court of North Carolina, the cases are heard on the printed record of the proceedings in the court below. Printed briefs of argument are filed by counsel, and oral arguments are made in open court. There is quite a difference, however, between the appellate procedure in the federal courts and in the courts of the state, and in appeals in equity and admiralty cases the federal appellate courts have power to

review the facts as well as the law of the case.

District Courts—The federal court which has the widest original jurisdiction is the district court. It corresponds, in a general way, with the North Carolina superior court. The state of North Carolina is divided into two federal judicial districts, the eastern district embracing Raleigh, Fayetteville, Wilmington, Newbern, Wilson, Elizabeth City, Washington and Laurinburg, at all of which places terms of court are held; the western district embracing Charlotte, Salisbury, Greensboro, Wilkesboro, Statesville, Asheville and Shelby, which are the places where terms of court are held in that district. I. M. Meekins of Elizabeth City is judge of the eastern district and Jas. E. Boyd of Greensboro and E. Y. Webb of Shelby, are judges of the western district.

The district courts of the United States in trying actions at law follow as nearly as possible the legal procedure in the courts of the state wherein the court is held. In equity suit, however, the federal courts do not follow the state practice, but the practice of courts of chancery; and the difference between actions at law and suits in equity is determined by the principles prevailing at the time of the adoption of the constitution. In actions at law trial by jury, which is guaranteed by the constitution, is substan-

tially similar to jury trials in the North Carolina state courts.

Other Federal Courts—In addition to the courts above mentioned, the federal government maintains a trial court in Washington City known as the supreme court of the District of Columbia, which corresponds to the federal district courts. Appeals from this court are taken to the court of appeals of the District of Columbia, whose jurisdiction corresponds to that of the various circuit courts of appeals. Then there is the court of claims which sits at Washington and hears suits on claims against the United States, the court of customs appeals; the interstate commerce commission and a number of other courts of special jurisdiction as well as the courts in the territories and dependencies of the United States, a study of whose functions would unduly prolong this article.

Fundamental Similarity—In all of our courts state and federal there is practically the same fundamental conception of the administration of justice. In all there is the guarantee of trial by jury in actions at law. In all there is the guarantee of due process of law and equal protection of the laws. All are guided by the principles of law and equity which have been evolved out of the centuries of

experience of the English speaking race.

Lesson IX

TAXATION

By N. A. TOWNSEND

Taxation is essential to government. For a government to function it must have revenue to meet its expenses, and governments today get most of their revenues by levying and collecting taxes from their subjects. The tax problem, therefore, is not one of whether taxes shall be levied and collected. The necessity for doing this is not questioned. The real problem is how much, in what manner, and from what source taxes should be collected.

Any tax scheme to be sound economically must contemplate that the taxes levied can and will be paid out of income. This is easily recognized. If taxes are so levied that they are paid out of income the capital of the tax-payer remains unimpaired and is left intact for industrial uses and developments. On the other hand, if the tax on any kind of property or against any class of industry exceeds the reasonable income from that property or industry a part of the capital must necessarily be used to help pay the tax, and to the extent that this is done industry is delayed, injured or destroyed. This principle should never be lost sight of in the preparation and enactment of any tax measure.

Taxes in general may be divided into two groups or classes, direct taxes and indirect taxes. Direct taxes are those charged directly upon the tax-payer and which are supposed to be paid directly out of that tax-payer's income. Indirect taxes are those which are directed against a specific article of trade or commerce, and which the individual who pays in the first instance is expected to, and usually does, pass on in the form of an increase in the price of the article to some one else, who again passes it on in the same manner until it finally reaches and is paid by the ultimate consumer of the article. Indirect taxes are, as a rule, the least obnoxious, since the person who finally bears the burden of them does not realize that he is paying a tax. Adam Smith in his "Wealth of Nations" especially praises indirect taxes because the consumer "pays them by little and little as he buys the goods," and "it must be his own fault if he ever suffers any considerable inconveniency from such taxes." The tax levied by the State of North Carolina on gasoline is an indirect tax. The tax-payers of North Carolina pay taxes which are levied and collected under tax measures adopted and put in force by two separate taxing authorities. They pay taxes for the support of the federal government, which taxes are levied and collected under or by virtue of laws passed by the congress of the United States, and they also pay taxes for the support of the state, county and municipal governments, which taxes are levied and collected under or by virtue of laws passed by the state legislature. It will not be the purpose of this article to treat in detail taxes levied and collected by congress for the support of the federal government. To properly treat that subject would of itself require all the space allotted for this article, and the North Carolina League of Women Voters being more directly interested in the tax system adopted by the state legislature, this will be given the preference. It may be said in passing that for the past few years the federal taxes have been exceedingly heavy and burdensome. This was due to the fact that enormous sums had to be raised to meet the expenses of the government incurred in the world war. These taxes are, however, now being very materially reduced. The new tax law which congress has just passed makes very large reductions in federal taxes, especially in the federal inheritance and income taxes, and the indications are that these reductions will continue to be made from time to time until federal taxes are back to approximately what they were before the war.

There does not, however, seem to be any immediate prospect of a material reduction in taxes levied under the state law. On the contrary it is very probable that they may have to be increased from what they now are. Until comparatively recent the tax budget for the state remained practically constant from year to year. But few years ago the state began to wake up from its Rip Van Winkle sleep of several generations and to make the most rapid strides of progress in every direction. The wonderful and unprecedented development of her educational system, of her many institutions for the protection and care of her unfortunate, her public health program, and in very recent years her program of highway development, have made North Carolina the envy and the admiration of the world. This program of progress has called for the expenditure of greatly increased amounts of money, and this in turn has made necessary more and heavier tax burdens.

No North Carolinian will advocate an abandonment by the state of this program of progress. On the contrary, a large majority of the citizens of the state are demanding a speeding up of the program and a more rapid advance to better and finer things. It is therefore very apparent that the amount of the state revenues cannot at this time be reduced, and that they may have to be materially increased. The people themselves will not have it otherwise.

If North Carolina's tax rate is compared with the tax rates of the other states of the union it will compare favorably or unfavorably with them according to the view point of the person making the comparison. If a low tax rate is the chief thing to be considered the comparison will be very favorable, for with all her wonderful progress and development North Carolina still has one of the lowest tax rates in the union and the per capita tax in the state is far below the average. If, however, the thing to be considered is the average amount paid by a citizen of the state for the advancement of education and the protection of public health, and the support and protection of the unfortunate, then the comparison will be unfavorable, for North Carolina still spends far less per capita for these purposes than the majority of the states of the union.

North Carolina is at present spending in the various departments and activities conducted by the state government approximately twenty-four million dollars a year. Of this amount about ten million dollars is collected annually from the automobile license tax and the tax of four cents a gallon on gasoline sold in the state. All of this tax goes to the state highway department and is expended by the highway commission in the development and maintenance of the state's system of highways. No other tax money is spent for this purpose. This tax is almost universally popular. The tax payer can figure for himself that by reason of the improved roads which this tax has made possible he more than saves his money in the increased mileage he gets from the gasoline he buys and

the fewer and smaller repair bills he has to pay.

Of the other fourteen million dollars annually spent by the state government the state gets two hundred and sixty thousand dollars from dividends on stock held by it, and approximately four hundred thousand dollars from income of the state prison. The state also gets about a million and a quarter dollars a year from fees paid into the governor's office, the treasurer's office, the office of the secretary of state and the office of the commissioner of agriculture. These fees are not strictly speaking taxes, though they are in the nature of taxes. The remainder is derived from taxes proper, principally income taxes, inheritance taxes, franchise taxes and license or privilege taxes.

The income tax is the largest single source of the state's revenue. The state at present gets approximately six million dollars a year from it. Many economists claim that it is the most just and the most economically sound tax of any. It is levied upon net income, and is paid only by those who have net incomes, and is, of course, paid out of income. Therefore, if properly administered, it can never become a confiscation of capital. This tax has in recent years become almost a universal tax. It is the principal source of revenue for the British government. A considerable part of the revenue of our own federal government is derived from this source. Every state in the union, with the exception of three, or possibly four, levies an income tax. In North Carolina, as applied to individual incomes, it is a graduated or progressive tax—that is, it commences with a small or light tax on small incomes and increases or progresses as it is applied to larger incomes. For example, a net taxable income of one thousand dollars is taxed at one and one-quarter per cent, while the individual with an income of twenty thousand dollars pays one and one-quarter per cent on the first twenty-five hundred, two per cent on the next twenty-five hundred, two and three-quarter per cent on the next twenty-five hundred, three and one-half per cent on the next twenty-five hundred, four and one-half per cent on the next five thousand and five per cent on all in excess of fifteen thousand. The tax as applied to corporations is not progressive, but is fixed at four per cent on all net corporate incomes regardless of amount.

The inheritance tax has many enemies as well as many staunch supporters. Its supporters argue that it is only by reason of the laws of the state and the administration of those laws by the state government that a person is able to take property by inheritance; and that therefore when a person by reason of these laws and their administration by the state is enabled to receive an estate of in-

heritance which he otherwise would not be able to receive, and for which he himself did not labor, it is very proper for him to surrender a small part of it to the state to help pay the expenses of administering the law. The opponents of the tax on the other hand claim that it is a death tax. and that it is levied upon and collected out of capital and not out of income, and that it is consequently an impairment of the capital available, for the industrial development of the state, and that it is therefore contrary to a sound economic policy. This tax is also pretty generally resorted to. The federal government levies and collects an inheritance tax, and every state in the union with the exception of Florida, Nevada, Texas and possibly one other has some form of it. As administered in North Carolina it is also a graduated or progressive tax, beginning with a small tax on small estates of inheritance and increasing according to a definite schedule as the amount of the estate increases. The state collects from this source approximately seven hundred and fifty thousand dollars annually.

The privilege tax is a tax levied against certain classes of business and upon certain professions, and every person conducting any business or engaging in any profession so taxed is required to pay the tax for the privilege of so doing. These taxes are generally called license taxes. The schedule of these taxes covers a very large field, and the state collects annually from this source approximately one

million one hundred thousand dollars.

The franchise tax is very much like the privilege tax. It is, in fact, a privilege tax on corporations, levied and collected from corporations for the privilege of engaging in business in the state as corporations. The state permits a corporation to organize and acquire for itself a corporate existence or entity. As such, while it is non-existent except by legal fiat, it may hold and own property and may engage in business just as any individual. In addition to these rights corporations under the law enjoy certain privileges and immunities not enjoyed by individuals engaged in the same kind of business. For these rights, privileges and immunities the state charges and collects from the corporations these franchise taxes. The state gets from this source approximately two million six hundred thousand dollars a year.

The buss tax levied by the revenue act of 1925 partakes partly of the nature of a license or privilege tax, and partly

of a franchise tax. It is a tax on the business of carrying passengers and freight by motor buss or truck over the highways of the state. It is levied upon the gross receipts of the business. It is estimated that the state will get about one hundred and fifty thousand dollars a year from this source.

Another source of revenue, resorted to for the first time in North Carolina by the legislature of 1925, is the process tax, so called. This is a tax, or more properly a fee, of two dollars collected for the state in every civil proceedings and every criminal action brought and tried in any court of record in the state. There was and is much dispute as to the wisdom of this tax. The tax is based upon the theory that the state pays the salaries of the judges and solicitors who conduct the courts, and that the litigants who use the courts ought to be required to pay a fee or tax to the state to reimburse it in part, at least, for the expense of providing the judges and solicitors to hold the courts for the benefit of the litigants. The advocates of the tax argue that it is unfair to tax all the people for the entire expense of these officials and thus make those who do not go into the courts pay the larger part of the expense of running them. They say that the large majority of the people never go into court, and that those who do usually pay very little taxes. They argue further that it is just as reasonable to require the litigant to pay a fee to help toward paying the salaries of the judges and solicitors as it is to require him to pay fees to help pay the salary and expenses of the clerk of the court, and that these latter fees have always been collected. The opponents of the tax, however, claim that the very fact that the state provides judges and solicitors guarantees to the taxpayer protection for his person and his property, and that he does not have to go into court to protect them because of the recognized efficiency of the courts as provided by the state. They argue further that the courts of the state ought to be free and open to every one, rich and poor alike, and that every citizen ought to have the right to go into the courts of the state for the protection and mainenance of his rights without being taxed specially for that privilege. Whether this tax will be retained permanently is problematical. It is estimated that the state will get approximately two hundred thousand dollars annually from this source.

In addition to the taxes levied and collected for the support of the state government the laws enacted by the state legislature authorize the levy and collection by the various counties and municipalities in the state of certain taxes for the support of these county and municipal government. A small amount of this revenue is derived from a restricted poll tax, and some is derived from a privilege or license tax, which is in part a duplication of the privilege tax collected for the state. The schedule of privilege taxes collected by the counties and municipalities is, however, much more restricted than that of the state. Many businesses and professions taxed by the state are exempted from taxation at the hands of the county or city, and in many other cases the tax which the county or city is permitted to collect is restricted to one-half the tax collected for the state. Consequently the amount received from this source by counties and cities is usually not very large.

The principal source of revenue for the counties and municipalities has always been and still is a property tax. This tax is levied against all property located in the county or municipality according to its value, and it is usually called an ad valorem tax. The several counties of the state collected last year from this tax on property approximately twenty-five million dollars. The cities and towns collected many millions more, Statistics showing the amounts collected by the cities and towns from this source are not available.

The burden of this tax varies greatly in the different counties and localities in the state. In some undeveloped and sparcely settled sections where property values are low the tax rate is very high and the tax is exceedingly burdensome. In other sections where industrial development has brought about an accumulation of wealth and property values are high the rate is comparatively low, and the burden of the tax correspondingly lighter. Each county and each municipality has its own rate of tax, and levies and collects its own tax, and it does this in its own way, subject only to the regulations, requirements and restrictions fixed by the act or acts of the legislature under which the tax is levied and collected.

Prior to 1921 the state also collected an ad valorem tax on property. For many years this was the chief source of revenue for the state as well as for the counties and municipalities. When the state started on its "march of progress," however, those who studied the question soon saw that the march could not lead very far unless some other source of revenue could be found. The developments and improvements entered upon by the state, counties and cities or towns simultaneously called for enormously increased expenditures of tax moneys, and it was clear that if this was to continue to be met by additional levies of tax against property the time would soon come when either progress must stop or else the property tax would be so high that the income from property would not pay the tax, and consequently there would be a gradual and increasing confiscation of property by the government. This would be suicidal.

The legislature of 1919 fully realized the situation and as a result it submitted to the voters of the state what is known as the income tax amendment to the constitution of the state. This amendment was ratified at the general election in 1920, and the legislature of 1921 promptly enacted the first income tax law of the state. This legislature also passed the act increasing the automobile license taxes and levying a tax on gasoline. Now these three sources produce nearly two-thirds of the revenue of the state.

The legislature of the 1921 also made another and a very far reaching change in the taxing policy of the state. It definitely committed the state to the policy of not collecting any property tax for state purposes. Since that time property taxes have been levied and collected for county and municipal purposes only. The state gets its revenue entirely from other sources and leaves property alone.

The ideal tax scheme would be one in which there would be no duplication of tax levies. That is, under the ideal system the federal government would get its revenues from certain sources, the state would get its from certain other sources, the counties would get theirs from other sources, and the cities and towns would get theirs from still other sources, and each would leave the sources taxed by the others alone. We are a long way, however, from the ideal. There is much duplication between federal taxes and state taxes, some duplication between state taxes and county and municipal taxes, and almost a complete duplication between county taxes and municipal taxes. The

action of the state legislature, however, in leaving property entirely to the counties and the municipalities for taxing purposes was a step in the right direction and ought never to be receded from.

There is one feature of our tax system which has been much criticised. This is the manner in which the tax burden for the support of the public schools of the state is distributed among the people of the state. One of the cardinal principles of a just taxing system is that its burdens shall bear equally upon all subjects of the government. Under the present system of taxation in the state the revenue for the support of the public schools is derived principally from a property tax. The county is made the unit for this tax, and the obligation and duty of levying and collecting the tax is placed upon and left to the county as a unit. As a result, the rate of tax for this purpose varies very greatly, and a different rate exists in practically every county in the state. In some counties the rate for this purpose is more than one dollar on the one hundred dollars valuation of property, while in others it

is less than thirty cents.

It is claimed that this is a great injustice. The public schools of the state are established by compulsion under the mandate of the state constitution. The same constitution which compels their establishment guarantees that every child in the state shall have equal school facilities with every other child. The state recognizes its duty in this respect under the constitution, and it has established certain standards which all the public schools of the state are required to measure up to. It has also charged the state department of education with the duty and clothed it with the authority to see that these requirements are complied with. And regardless of cost the county must furnish the money to meet the expenses. It has no discretion in the matter and can be compelled to do so by mandamus if necessary. The result is that the poorer counties are often compelled to levy exorbitant and burdensome taxes upon property in order to meet the requirements of the state in this respet, while the richer and more prosperous counties can meet the requirements by levying a very smaller tax. Thus the tax burden for public school purposes does not bear equally upon all the people of the state.

The legislature has in the past recognized this injustice, and has attempted to remedy it in a measure by providing

by appropriation from the state treasury, a fund called the "equalizing fund." This fund is placed at the disposition of the state department of education with direction that it be distributed among the poorer counties of the state in such manner as to enable them to reduce their property tax levies for public school purposes and still have sufficient funds with which to maintain their public schools in accordance with the requirements of the state. The state has never made an oppropriation for this purpose sufficiently large, however, to amount in any real sense to an equalization between the counties in this respect. It is to be hoped that something further can be done towards correcting this injustice in the near future.

Lesson X

HOW DO STATE'S MILLIONS COME AND GO

By R. A. DOUGHTON, of Alleghany County, Commissioner, Raleigh

The general assembly of 1921 passed an act to transfer the powers and duties of the state tax commission to the state department of revenue and provided that the new department should begin to function on May 1, 1921. A commissioner of revenue was appointed by virtue of an act of the general assembly of 1921 and the present commissioner was elected at the general election in 1924.

Until recently most of the taxes imposed by the state, counties and municipalities were ad valorem taxes upon physical property—the state tax being uniform, but that of the counties and municipalities varying according to the necessities of the particularly interested agency or municipalities.

pality, restrained by the constitution, however.

For some years a different system of taxes had been advocated by students of taxation in the state, whereby all the state taxes would be levied upon incomes, inheritances, franchise, trades and professions, etc., and the counties left to derive their revenue from the tax imposed upon physical property. Before 1921 income taxes could not be levied upon any income derived from property already taxed. That produced great complaint as the professional and salary man under that system was taxed upon his meagre income and but little revenue was derived from that source, whereas income derived from corporations and individuals arising out of the use of property already taxed, paid no income. Therefore, the general assembly of the special session of 1920 submitted to the people of the state a proposed change in the constitution whereby a tax was permitted to be levied on all incomes arising from any source, not however, to exceed 6% with the exemption for a married man having a wife living with him, or widow or widower having minor child or children, natural or adopted, not less than \$2,000, and all other persons not less than \$1,000. This amendment was submitted to the people in November, 1920, and adopted by the immense majority of 180,000.

After the adoption of that amendment the general assembly of 1921, believing the time had arrived to do away

with state taxes on tangible and intangible property in its revenue law and that year, for the first time in the history of the state, struck out upon new lines and wrote section 3 of the revenue act in these words: "No tax on any property in the state shall be levied for any of the uses of the state government. The taxes hereinafter levied in this act are for the expense of the state government, the appropriations to its educational, charitable and penal institutions, pensions for Confederate soldiers and their widows, the interest on the debt of the state, an equalizing fund for public schools, and other specific appropriations made by law, and shall be collected and paid into the general fund of the state treasurer." Appropriations for these purposes were made by taxes levied on the special sources above referred to. The general assembly of 1921 imposed a graduated income tax upon the excess over the amount of legal exemption, beginning at 1% and increasing to 3% on individuals. On corporations a tax of 3% was levied upon the entire net income without graduation. A tax of one-tenth of 1% was also levied upon all corporations as a franchise tax. An inheritance tax ranging from 1% to 5% where the beneficial interest of the property went by will, deed or otherwise to the lineal issue, lineal ancestor, adopted child, etc., and ranging from 3% above exemption to 7% where the relationship of the beneficiary was collateral and from 5% to 9% where the beneficiary was a stranger in blood or a corporation. All these taxes being graduated when applied to individuals. Widows were allowed \$10,000 exemption before any tax was imposed upon their share of the estate and each child under 21 years of age \$5,000, all others \$2,000. The general assembly of 1925 increased this rate of taxation, being confronted with the necessity of raising more money. In the first instance the brackets run from 1% to 6%, in the second in the case of collaterals from 3% to 12% and in case of strangers in blood from 7% to 16% and in cases where the beneficiary is a collateral or no blood relation to the maker of the gift, there is no exemption. Inheritance taxes have been adopted in the tax laws of practically all the states, by other nations and the federal government. The federal government, however, should now be able to dispense with inheritance or transmission taxes and permit the states to have the benefit of the same and a contest around this

provision is being waged in the present congress.

The total taxes collected by the state under the new system for the fiscal year 1924-25 was \$8,169,840. For the year 1925-26 the budget commission and general assembly estimated the state's revenue under the new statute at \$12,426,688, divided as follows:

Incomes	\$5,830,348
Inheritances	750,000
Franchises	1,929,700
Trades, Professions, Etc.	
Insurance	
All other sources	1,534,500
Making a total as stated of	\$12,426,688
Making a total as stated of \$	
Indiciary	\$ 313,750
Judiciary Executive departments	146.750
Equalizing school fund.	1.500.000
Administrative departments, boards and commissions, in	1-
cluding certain special educational funds	
Public printing	150,000
Non-administrative board and commissions	2,600
Miscellaneous appropriations—Fugitives, etc.	
Contingency and emergency appropriations	
Educational institutions	
Charitable and correctional institutions	2.763.262
Pensions, Confederate soldiers and widows	
State aid and subsidies, including farm life schools, agricu	
ture extension work, etc.	
Interest, sinking funds and debt payments	
The percentage of such appropriation of the state dollar	
being as follows:	
Judiciary	2c
Judiciary Administration proper	9с
	//

The total of these appropriations being slightly in excess of the estimated revenues.

Interest and sinking fund

The year 1921 was a historic year in North Carolina legislation and the beginning of an era of great development. In that year the state entered upon a scheme on a large scale of building state highways and issued \$50,000,000 of state bonds for that purpose, which amount has been subsequently increased to an issued and authorized issue of \$85,000,000. A tax was placed upon motor vehicles and gasoline by the state highway act of 1921. The motor vehicle tax ranging according to horsepower from \$12.50 to \$40.00 and on trucks from \$12.50 to \$300.00. A one-

cent tax was placed upon gas, which has been increased

twice since and is now four cents per gallon.

In 1924-25 there was collected in taxes on motor vehicles, gasoline and title registration \$10,130,486.83, and it is estimated that for 1925-26 there will be collected from the same source by the state \$12,500,000. This money is used to pay the expenses of the state highway commission, interest on the bonds to maintain the state highways and to create a sinking fund for the payment of the bonds, and so large has it become that some of it can be used for road construction. The accomplishments with the use of this highway fund have been phenomenal. It has challenged the attention of other states and countries. There have been completed since 1921, 1,632 miles of hard-surface road, 2,200 miles of other types of roads and there is now under construction 1,400 miles of hard-surface and other dependable types of road and the state is maintaining adequately upwards of 5,000 miles of road. These accomplishments have made in four years a new commonwealth, socially, industrially and otherwise. It is a source of just pride of our achievements and it is challenging the attention and imitation of our sister states.

The collection of the state highway taxes is now imposed by law upon the commissioner of revenue.

Lesson XI

A SURVEY OF THE ACTIVITIES OF THE NORTH CAROLINA DEPARTMENT OF AGRICULTURE

By WILLIAM A. GRAHAM,

Commissioner

Agriculture, the science and art of producing crops, is a word that has no synonym more expressive than itself. The idea it conveys is linked with the experience of the human race since the dawn of history. Primitive man dug his living out of the earth. The twentieth century man does the same, either directly or by proxy. We must look to the ground for practically every comfort we enjoy. Earth takes its toll; back to its bosom all material matter finally goes, only to enrich it for further yields. It is a bountiful giver.

The development of agriculture covers a long period of time, with perfection still in the distant future. Hence, the necessity for continued effort. This development cannot be traced in detail. Neither can it be treated minutely

within the confines of a chapter, or a volume.

Primitive man took things as he found them. He gathered where he had not sown. Proper preparation of food was an undiscovered and undeveloped art. He tilled first for produciton only; then, with the desire for something better, he tilled the soil for the improvement of the products it yielded. That worked, and his interest was aroused. The art of farming gained momentum with the passing years, and today it is one of the sciences. We often speak of the fine arts, referring to the things that please the eye and gratify the intellect. To group farming among the fine arts would by no means jar one's sense of proportion.

I shall not attempt to present statistics in this chapter. Time and space will not permit. Neither is it necessary to the central idea I shall endeavor to convey. Statistics change with each passing season; they are often upset by

a single frost.

There are two broad lines of agricultural work to be done in North Carolina. One has to do with the production side, while the other has to do with the distribution or marketing side.

The North Carolina State College of Agriculture and

Engineering, with its teaching forces, its research forces and its extension workers, is bending along production lines. On the other hand, the state department of agriculture, with its police control work, its inspection work, its livestock and sanitation work, its regulatory work, its forestry, marketing and other activities, is emphasizing the distribution and marketing side of agriculture.

In my treatment of agriculture in this chapter, I shall deal with the work being undertaken by the state department of agriculture. until last year the college and the department undertook to conduct certain activities, including experiment and extension work, jointly. However, acting under revised legislation, President E. C. Brooks of the State College and I were able to draw a line of demarkation whereby each of these two major agricultural activities is now in a position to do the farmer definite service without duplication of effort. The principle of cooperation, however, remains and is strictly adhered to between the two heads.

Our soil has always been our greatest natural resource and was made a special field of study and research by the legislature of 1877 in the creation of the North Carolina state department of agriculture. From the time of its organization the department of agriculture has given its unidivided attention to the development of this almost unlimited agricultural resources of the state, with the result that a most remarkable and far-reaching change has come about.

The department of agriculture is an administrative branch of the state government. Its executive head, the commissioner of agriculture, is elected by a direct vote of the people, and the state board of agriculture, of which the commissioner is ex-officio chairman, is appointed by the governor, by and with the advice and consent of the state senate.

The commissioner of agriculture is elected every four years, his term being concurrent with those of the other major state officers, while the board members, one from each of the ten congressional districts, are appointed for terms of six years each. Their terms never expire all at the same time.

Under the present arrangement, the state department of agriculture is operated on its own resources, that is from

money collected by it, and not by direct taxation imposed upon the people or legislative appropriation. Its collections amount, in round figures, to between \$400,000 and \$500,000 annually. The bulk of this money comes from inspection work done by the department's agents.

I shall now endeavor to outline, in a general way, the work undertaken by the department.

The advantageous marketing of farm and dairy products is as vitally important as production itself. Many a good crop has become a liability when it could not be marketed to the advantage of the producer.

It is equally true that a slim crop may be expeditiously disposed of at a saving to the producer. The same is true of poultry, eggs and dairy products, as well as live stock, all of which come within the range or agricultural endeavor. The value of assistance given to the farmer in the marketing of his products has long since become established. The state department of agriculture maintains a divisions of markets which, during the 1925 season, for example, helped 15,00 farmers to market 1,000,000 pounds of live poultry at a direct saving of \$50,000 to those who provided them. Also, between March 1 and October 1, this division was instrumental in marketing for farmers 10.000 cases of eggs at a saving of approximately \$15,000,000 to the producers. There were thirty dozen eggs to the case, or a grand total of 3,600,000 individual eggs in these shipments, most of which went to points outside the state, in car lots. The amount saved to the farmer was five cents on each dozen. Under the old system the profits would have gone to middlemen; under the new they went to the farmer direct.

There might be recited other striking instances of how the department is undertaking in the way of providing the farmers with ways and means to realize the greatest returns on their investments of time, effort and money.

The department recently launched a movement to encourage the establishment of certified hatcheries throughout the state. It had been found that other states were furnishing our people with millions of baby chicks each year. There appeared no sound reason why these should not be supplied at home. Through the methods adopted,

it is estimated that at least 1,200,000 baby chicks from certified stock can be supplied in the state during 1926.

Reports received by the department of agriculture showed that during the 1925 season, up to October 1, there has been shipped out of North Carolina 13,362, carlots of fruit and truck. In addition to these shipments, 166,808 express packages were shipped from the Wilmington district.

Through a co-operative arrangement with the United States department of agriculture, the state department of agriculture receives daily market reports over a leased wire running into the agricultural building at Raleigh and also maintains a crop reporting service.

The work of the division of botany is rapidly increasing and expanding. Through this division a very definite service is rendered. I shall here state, in brief, the duties of

this branch of the department of agriculture:

First, the testing of all kinds of seeds for purity and germination. This is designed to protect the farmer against spurious or misbranded seeds. When it is found that inferior misbranded seeds are being placed on the market, we immediately take steps to issue a timely warning.

Second, the manufacture and distribution of nitro cultures for all kinds of legume crops. The reaction to this work on the part of the farmer has been exceedingly gratifying. It is hoped that we will soon be in a position to furnish these cultures either free of charge or at a greatly

reduced cost per acre.

Third, the placing of federal grades on corn, wheat, oats

and rye.

Fourth, the identification and control of weed pests. One of the most widely circulated bulletins this department has issued is that written by the state botanist for the department on "Farm Weeds and Methods for Their Control."

The department is gradually creating an increased demand for North Carolina grown seeds in neighboring states.

The seed laboratory recently has received and examined a total of 577 agricultural and vegetable seeds. We have, this season, ninety-five licensed dealers to whom we have distributed, to date, 95,600 state seed tags. We find an

occasional shipper who is inclined to use our tag fraudulently by not stating the exact nature and quality of the contents of the bag to which he attaches our tag. More rigid restrictions will have to be used against such shippers to make them see the necessity of making the state seed tag tell the truth when attached to a package of seed.

The department of agriculture's division of chemistry is is one of the important agencies through which the farmer is given substantial service. he laboratories are now properly installed and doing the best work they have every done, both in quality and quantity. During the past year the laboratories have examined nearly 2,000 samples of fertilizers, thirty-seven of lime and eleven of mineral water.

Demands of the public and of the fertilizer trade are now responded to more quickly than ever before, and, so far as can be observed, this division is rendering satisfactory service in the interest of the farmer and the public in general. The inspection work has increased very rapidly.

The farmers are protected in their purchases of fertilizers by the work done in the fertilizer division. This division makes a report of substantial progress since July. The analyses of spring samples have been completed and the fall samples are well under way.

Six supplementary bulletins have been issued during the progress of the spring fertilizer work, and the main bulletin containing all analyses is now ready for the printer.

Several hundred more samples have been handled by the division than ever before and more complete analyses made.

The food and oil division is one of the most important in the department. It has to do with the inspection of foods, oils, gasoline, creameries, bottling works, etc. Last year this division made examinations of 538 samples of food, drugs and beverages; 74 miscellaneous samples; 171 bakeries; 102 ice cream plants; 183 bottling plants; 65 samples of linseed oil; 2,340 samples of illuminating oils; and 8,470 samples of gasoline. The inspection forces are continually on the lookout for evidences of misbranded and adulterated foods, extracts, etc. Also, strict watch is kept for short weights.

There has been, for example, a most satisfactory improvement in the quality of ice cream, under this division's inspection. A few years ago there was comparatively little standard ice cream sold in North Carolina. Now about 78 per cent of this product is standard ice cream. We are now in a position to further strengthen the regulations by barring all sub-standard ice cream, thus giving the public additional advantages in the enjoyment of standard food values.

The veterinary division's work has been outstanding. This division has had in charge the work of looking toward tick eradication in our state. Victory came on December 10, 1925, when the federal government lifted the quarantine and placed North Carolina in the list of free states. This task, that is, the task of tick eradication, was a laborious one and its performance required both tact and perseverance. However, gains were steady and handicaps were evercome until it was successfully completed.

During the four months ending November 1, 1925, for instance, 52,619 herds of 202,090 cattle were dipped. It was also necessary to dip at this time 10,270 horses, mules

and ponies.

Tuberculosis eradication has progressed in a very satisfactory manner. This work, also comes under our veterinary division. On December 1, 1925, North Carolina had fifty counties in the modified accredited area, that is, counties in which all cattle had been tested and the diseased animals removed. This is by far the greatest number of accredited counties in any one State in the Union.

The veterinary division's fight against hog cholera has also been noteworthy, as have its other activities looking toward the betterment of conditions among farm animals.

The division of entomology, which wages constant warfare against insects that are harmful to crops, is designed to be of direct benefit to the farmer. The boll weevil is now claiming much attention among the experts employed in this division. Research work is carried on continuously. Besides the boll weevil, this agency of the department of agriculture is making a special study of pecan pests, the Mexican bean beetle and other harmful insects.

Through the division of entomology, the department has established and is maintaining field headquarters for the control of the cotton boll weevil at Aberdeen, in connection with our peach insect and disease control work. Recently, further studies were made on the habits of the

weevil with emphasis upon the field control using new types of spraying machines that apply a liquid by cold steam rather than by the old method of spraying under a force pressure generated by a pump and engine. New insecticides using oils and organic poisons, instead of water and inorganic poisons, have been tried. The new combinations appear promising.

Commercial peach growers appear highly pleased with the control work instituted against peach insects in the Sand Hill section. A fight is being made against tree

borers, the Oriental moth and other pests.

A survey of the insect population of the state, made through the division of entomology, proved of great value to the efficient conduct of the work of this division. A total of 223 additional species or kinds was found new to our state list during the past year. A total of 7,266 species is now known to occur in this state.

Nursery inspection and certification work has increased very materially during the past six months. Of the 92 nurseries certified, two required two inspections each and one three insceptions before certificates were granted.

An inspection also was made of a small number of apiaries.

The feed inspection work of the state department of agriculture has assumed large proportions and yields a substantial revenue annually to help finance the department. Through this agency, the feed trade of the State is policed, thus affording direct protection to the farmer. From this trade fees paid into the department now approximate \$50,000 annually.

There is constant necessity for feed inspection for the following purposes:

First: To see that tags are put on.

Second: To sample and check up periodically the feeds sold.

Third: To watch the feeds sold for new forms of adulterations and violations.

The value of feed inspection to the state cannot be measured in dollars and cents by the number of samples submitted.

Our laboratory has now modernized its sampling and

grinding of feed samples and is ready to institute a more thorough sampling system.

The department of agriculture operates six test farms, located as follows: Tarboro, Wenona, Oxford, Swannanoa and near Statesville. The Oxford farm is a tobacco test farm. These farms are located in different sections of the state and the work undertaken by each is based on the

needs of the section in which it is located.

The experimental work carried on at these six farms has progressed with good results. The plan of holding an annual farmers' field day at each has proved very popular and has been helpful in getting results before the farmers. In addition to the annual field days, many smaller meetings have been held, such as meetings of the Seed Breeders Association, Livestock and Poultry Associations and Horticultural Societies. The fertilizer manufacturers, principals of rural schools with their agricultural classes, county field agents with groups of farmers, and many others visit these farms for the purpose of studying the various types of work undertaken on them. It is estimated that approximately 15,000 people attended the field day events during the summer of 1925. This number does not include those making up smaller groups.

Each of these farms has increased very materially in

value since it was acquired, inventories show.

The marketing of forest farm products is coming to be a very important part of the work of the department of agriculture. In the past the farmers and other land owners who had timber for sale were forced to take whatever the lumbermen offered, without knowing how much stumpage they had—whether a million or ten million feet. It was all guess work, and the lumbermen could always outguess the owner. The department of agriculture, however, is now, in a position to give timber owners of the state valuable assistance, with marketing information, through its forestry division.

The division of forestry has undertaken the solution of the greatest problem confronting the owner of farm woodlands. Farmers' woodlands in North Carolina produce annually thirty-two million dollars' worth of forest products. They are capable of producing two or three times this amount annually. The problem whose solution is sought is to secure the maximum return per acre to the forest owner, and the gradual improvement of his crop by intelligent management. To interest the farmer, a market must be secured for low grade products and for high grade products which occur only in small quantities on each individual farm. To dispose of low grade products, the cost of production must be reduced to a minimum and a nearby market found, as these bulky products will not stand a long haul.

North Carolina wood using industries and those in adjacent states are being examined to determine the amount of raw material they can absorb. The utilization of fuel wood and methods to increase the consumption are being sought.

Experimental cuttings are under way in several places and are planned for state forest land on the various experiment stations. This data will enable us to recommend forest practice along these lines to the farmer. A market has been obtained for hardwood and pine logs and community shipments in carlots will be made during the coming winter months.

The principal work of the forestry division during the next two years will center around the marketing of timber.

The horticultural work done in connection with the department of agriculture has now been assigned to the superintendent of the test farms. He reports the formulation of plans for definite service along this line. A year-round garden is demonstrated at each of the test farms showing the possibilities of having fresh vegetables on the table at all seasons. In some instances certain vegetables are grown on a commercial scale in order to furnish definite information on the growing of the crops in a large way to secure cost data. The test farms have orchards which not only supply a variety of fruit for the farms but serve as a valuable demonstration, for no farm is complete without a well-planned home orchard.

North Carolina possesses one of the finest state museums in the entire United States, probably the finest south of Washington. This museum is a part of the state department of agriculture, occupying a large floor space to the rear of the agricultural building at Raleigh. In the museum may be seen specimens of North Carolina products, including agricultural, mineral and industrial specimens. Thousands of North Carolinians, including many visitors

from all parts of this state and from other states visit this interesting place every year. Students visit it for the pur-

pose of conducting research work.

Through the publication of bulletins and other printed matter, the department of agriculture seeks to inform the public of this as well as of other states and countries as to North Carolina's agricultural resources and possibilities. A recent publication, "North Carolina, A Land of Opportunity," has been given wide circulation. Applications for copies of this publication have come from all parts of the world.

I have endeavored, without going into laborious details, to present a concise outline of what the North Carolina state department of agriculture, a duly constituted state agency, is doing for the farmer. In the presentation of each phase of the work I have merely touched the fundamental facts. One of the greatest needs of our people today is to know more about the state in which they live and work, in order that they may serve it better and enjoy more fully the opportunities it affords.

Lesson XII

OUR PUBLIC SCHOOLS

MRS. THOMAS O'BERRY

Chairman of Education, North Carolina League of Women Voters

In these few pages it is possible to present only the principal laws and facts concerning our public school, with the hope that the readers will study more intensively the system by which North Carolina provides free education to all of her children between the ages of six and twenty-one years, of both white and colored races.

Our entire system is under the direction of the state board of education, which has full power to legislate and make all needful rules in relation to the public school; however, should the general assembly see fit to amend or repeal any of these laws, they cannot be re-inacted by the board.

The governor, lieutenant-governor, secretary of state, treasurer, auditor, attorney general, and superintendent of public instruction, constitute the state board of education; the governor is president, and the superintendent of public instruction is secretary of the board. With the exception of the superintendent of public instruction, who is elected by the people, the state board of education is of course, an ex-officio body.

The superintendent of public instruction directs the schools, construes and enforces the law, receives evidence as to the fitness of the county superintendents, makes investigations in all matters relating to the schools, etc. He must report to the governor biennially at least five days

previous to each regular session of the legislature.

The county board of education is composed of three or five members, elected for a term of two years, but with no limitation of re-election; the candidates for membership are nominated by each political party of the state at the primaries or conventions at the same time and in the same manner as other party candidates. The names of the persons nominated, after being duly certified by the chairman of the county board of elections, within ten days after their nomination, are sent to the state superintendent of public instruction, who then transmits the names of these candidates, with the names of the party nominating them, to the chairman of the committee on education at the next

general assembly, within ten days after it convenes. The general assembly then appoints one or more candidates for each county to act as member or members of the board.

Upon the county board is conferred and imposed all powers and duties, not expressly conferred upon some other official, in promoting an adquate school system for the county. They district the county and locate the schools so that instruction may be available to all children. The county board elects the county superintendent of school; makes up the budget for expenses, fixes the time for opening and closing of schools, length of school days, enforces the compulsory laws, has jurisdiction over the teachers, elects the committeemen in rural school districts, has supervision of funds, etc.

Each county must meet the required minimum standard of the state, but has the privilege of setting its own maximum standard according to the demands of its citizens and its funds, which may be increased by special local tax and bonds.

The state educational fund is mostly derived from indirect taxation; the net proceeds of all sales of lands; gifts and devises, not otherwise appropriated; all money, stocks and bonds, and other property belonging to the state fund for purposes of education; the net proceeds of the sales of all swamp lands belonging to the state, together with the ordinary revenue of the state as the law may set apart for that purpose, is paid into the state treasury to maintain a system of free schools.

The county fund is derived from all moneys, stocks, bonds and other property belonging to the county school fund; the net proceeds from the sale of all stray animals; the clear proceeds of all penalties and forefitures; of fines collected for any breach of penal or military laws of the state and by local and special taxation.

The state equalization fund is the amount appropriated annually from the state public school fund, sufficient to equalize as nearly as possible the financial burden in the counties having insufficient funds to support a six months school term. This is apportioned by the state board of education to the counties in need of such aid to assist them in maintaining an efficient organization with well-trained teachers.

All funds are paid the county treasury and disbursed by

the treasurer on orders or vouchers signed by the chairman and the secretary of the county board of education if the fund is reserved to the county board of education; if from the fund apportioned to a school district, the vouchers must be signed by the chairman and one other member of the school committee and countersigned by the county superintendent.

Each county board of education is required to submit a budget to the county commissioners, who are the tax levying power. If the commissioners approve the budget, they are then required by law to raise the amount of the budget. The law requires that there be an audit each year of the treasurer's book of the county school funds and the accounts of the board of education.

In every county splendid brick buildings are rapidly replacing the old frame buildings. There are three ways these buildings are being financed: First, by a direct taxation which is included and carried in the annual budget; second, through loans from the state; for example, the last three legislatures in succession have provided three funds of five million dollars each, which was loaned to the counties at the same rate for interest as secured by the state. The application of the county board of education for these loans must be approved by the county commissioners; third, by bond issues, voted by the people. These funds usually provide for new buildings and equipment.

The compulsory school law requires the attendance of every child of normal physical and mental ability, from seven to fourteen years of age. The penalty for violation of this law by parents or guardians is a fine of not less than five dollars nor more than twenty-five dollars. When an affidavit has been made by the family that a child can not attend school because of necessity to work for support of itself or family, the juvenile court has the authority to investigate, and upon finding conditions as represented, transmit this information to the county board of education; the board of education, in its discretion, can render aid to the family from its operating fund not exceeding the amount of ten dollars, during the compulsory term.

The minimum of the school term is six months, except in special charter schools when a longer term may be authorized, as in the city schools which usually have a term of nine months.

In school laws, buildings, equipment, and organization, North Carolina has a high standard, but the standard required for teachers leaves much to be desired. The minimum standard for a teacher in grammar school is graduation from high school and six weeks of summer school work. However, there are many teachers in the rural schools holding non-standard certificates, which is less than high school graduation. Some of our teachers in rural schools have had no more than two years of high school, and there are approximately eighteen hundred teachers in rural schools who have less than high school graduation. Unfortunately, there are many teachers who do not speak correct English.

The minimum standard for teachers in high school is two years beyond high school graduation. In both schools the teacher must be over eighteen years of age, and the salaries of the teachers are based on the grade of certificate that they hold. In the city schools the standards are

much higher than in the rural schools.

In reading over the public school system of North Carolina, one would say it is certainly very excellent, and we constantly hear that "we have the finest school system in the country." That we have made, and are rapidly making great progress, no one can deny; yet parents and interested people who are in close touch with the schools feel that there are some very glaring faults in our system, some of which we must correct by legislation and others which are within the power of the superintendents and boards. One thing we can do is to give a great deal of thought and study to the measures most necessary to give all children equal opportunities, which is the constitutional right of every child of our country. If the mothers will properly inform themselves of the true school conditions, there is no doubt that they will mold public opinion in favor of higher standards and needed legislation. Here are a few outstanding measures for your consideration.

Do you think the state board of education should be an ex-officio body as at present, or should it be elected by the people, or appointed by the governor? when our state officers are elected, it is because of their fitness for the office they are to fill, not because they are fitted to direct

educational subjects. The men elected to fill these high offices are men of fine ability and make up a very strong board. However, some of the teaching profession is inclined to feel the same system should be used as is used in our country boards; that of electing the state board by the people, or that the board should be appointed by the governor. Instead of electing the state superintendent, he then would be appointed by the state board as in the counties he is appointed by the county board. This question is offered as one for thoughtful consideration and not as a definite measure to be attained.

North Carolina has a compulsory school attendance law that is not compulsory education, for the simple reason that it is based on age instead of grade requirement. Parents who wish to keep their children out of school can easily do so by taking advantage of the exemption law on pretense of illness or necessity for work on farm or at home. Consequently there are hundreds of children who reach fourteen years of age without having the rudiments of an education. The only way to insure all normal children the fundamentals of an education is to make the attainment of a required grade, for instance the fifth, with provisions for backward children the basis of the compulsory attendance law. This is another measure for serious consideration and for which we must create public sentiment.

There are three definite things, two of which must come through legislation for which the board of education is working and they should have the support, not only of every parent, but of every citizen and every qualified voter.

1. To provide an eight months school term for every

district in the state.

As it is now the grammar school has a minimum term of six months throughout seven years, which gives it a total of forty-two months. The standard high school has a term of eight months throughout four years which gives it a total of thirty-two months. The total in both grammar and high school is seventy-four months. In a nine months school the grammar school alone has a total of sixty-three months. Statistics show that there is a marked contrast in the ability of the pupil in direct proportion to the length and the continuity of the school term. For example, in a nine months school a freshman in high school

who has had sixty-three months of grammar school and nine months of high school, making seventy-two months in school subjects, exceeds the senior in the rural school who has had seventy-four months. It is unjust to our rural pupils that such a difference in educational opportunity should exist.

A child cannot possibly do a school year's work in six months; therefore, at the beginning of each school term, he must start almost in the middle of the past year's work, thereby losing almost a year out of every two years. An eight months school term will also insure higher standard teachers, as teachers who have had higher education cannot afford to work only six months in the year. To increase the minimum term in the grammar school to eight months will give every child fifty-six months of school instead of forty-two as at present; by the time he is fourteen years old he will have gained two years of school lacking two months. This coupled with grade attainment, which would automatically enforce the attendance law, would make our system of compulsory education almost perfect.

2. To complete the consolidation program so that every child is within the reach of a standard elementary school.

The table of statistics given here is the most convincing argument for consolidation of schools and elimination of the one teacher school.

Statistics in Rural Schools

Type Teacher

One hundred points represents one year of training.

Four years of high school, 400 points. Four years of college, 400 points.

Minimum certificate should be 800 points.

In the One Teacher School, the average teacher has 378 points. In the Two Teacher School, the average teacher has 405 points. In the Three to Six Teacher School, the average teacher has 489 points.

In the Seven or More Teacher School, the average teacher has 560

Attendance

In the One Teacher School, the attendance is 67% of the enroll-

In the Two Teacher School, the attendance is 70% of the enroll-

ment.
In the Three to Six Teacher School, the attendance is 74.4% of the

In the Seven or More Teacher School, the attendance is 75.5% of the enrollment.

Term

In the One Teacher School the average term is 123 days. In the Two Teacher School the average term is 126 days. In the Three to Six Teacher School the average term is 136 days. In the Seven or More Teacher School the average term in 162 days.

1924-25		
Rural Schools in State	4,168	
Teachers	11,137	
Pupils in attendance	380,104	

Nearly 501/2 of total State enrollment.

In the One Teacher Schools there are 1,468 schools; 1,468 teachers; 49,150 pupils.

In the Two Teacher Schools there are 1.279 schools: 2.558 teachers:

80,857 pupils.

In the Three to Six Teacher Schools there are 1,173 schools; 4,508

teachers; 148,000 pupils.
In the Seven or More Teacher Schools there are 268 schools; 2,603 teachers: 101,000 pupils.

Compare number of pupils to teacher in the two teacher school and the seven teacher school.

These statistics show the increased attendance and the higher standard for efficiency of the teachers, by elimination of one teacher schools. In a consolidated school it is possible to divide and grade the pupils instead of having one teacher to instruct pupils of all grades and ages, a condition which renders her work inefficient even though she herself is most capable. It means better, safer buildings, properly ventilated, lighted, and fire-proof. It means, through the location of the buildings and transportation by school buses, accessibility to all the children in the consolidated district.

3. To raise requirements for the certificates of teachers until every child has a reasonable guarantee of satisfactory instruction.

For a minimum standard in the elementary schools, the certificate for the primary grade should be raised to two years of college training, and for the grammar grades it should be raised to graduation of a two-year normal school or three years of college training. For the high school the minimum standard should be raised to four years of college work. This would raise the requirements for certicates two years throughout the school system.

The entire future of children depends upon these years of school, when their minds are being developed and their

character molded, and we can do no finer constructive work in building a citizenship of high moral standard than to properly train the youth of the state. To have a perfect educational system is not a visionary, ideal dream, but it is the practical economic solution of our educational problems. These three measures will help to give us a uniform educational system which will guarantee every child in the state free instruction and provide him with training that should properly equip him as a citizen.

Lesson XIII

PUBLIC WELFARE

MRS. KATE BURR JOHNSON

The North Carolina State Board of Charities	and Public Welfare
W. A. Blair, Chairman	Winston-Salem
A. W. McAlister, Vice-chairman	Greensboro
Mrs. Walter A. Woodard	Wilson
Rev. W. L. Hutchins	
Mrs. H. F. Seawell	Carthage
Mrs. J. A. Brown	
Rev. C. H. Durham	

Executive Staff

Mrs. Kate Burr Johnson, commissioner of public welfare. Roy E. Brown, director of the bureau of institutions.

Mary Frances Camp, director of the bureau of county organization. Harry W. Crane, director of the bureau of mental health and

Mrs. Kathleen Holding, assistant to the director of mother's aid.

Lucy F. Lay, director bureau of education and publicity. L. G. Whitley, inspector of penal institutions for the state board of health and the state board of charities and public welfare.

Miss Lily E. Mitchell, director of case-work under the Rockefeller

Lieut. Lawrence A. Oxley, director of the bureau of work among negroes.

The North Carolina constitution of 1868 provides for a board of public charities in these words: "Beneficient provision for the poor, the unfortunate and orphan being one of the first duties of a civilized and Christian state, the general assembly shall, at its first session, appoint and define the duties of a board of public charities to whom shall be entrusted the supervision of all charitable and penal state institutions and who shall annually report to the governor upon their condition with suggestions for their improvement."

It is upon this constitutional mandate that the work of the state board of charities and public welfare has been built, until now, in conjunction with the law requiring county superintendents of public welfare in counties with a population of 32,000 and a state-wide juvenile court law, the state of North Carolina has started well on its way toward a state-wide system of public welfare in its many phases.

The work of the state board of charities and public wel-

fare has to do with the unfortunate elements of the state's population—the insane, the feeble-minded, the poor, the crippled, the orphan, the criminal, the dependent, the neglected and the delinquent. Its object is to secure for these handicapped people the protection and care that are their due from a Christian democracy; to seek out the causes of social maladjustments; and to plan as wisely as may be for their prevention.

Prevention is the keynote to the work of the board as a whole, although a large part of the work is, of necessity, remedial. The board works constantly to show the unsatisfactory economic conditions, poor educational facilities, inadequate programs of public health, public welfare and social and mental hygiene, are only a few of the factors that go into the making of dependents, delinquents and defectives that institutions must care for.

The state board is composed of seven members, two of whose terms expire each two years, and who serve without pay. Of this number, one must be a woman, and at present there are three women on the board. The members are appointed by the governor and confirmed by the legislature.

The executive officer of the staff of the state board of charities is the commissioner of public welfare, who is apprented by the state board.

pointed by the state board.

History of the Board

The board of public charities was provided for by the state constitution of 1869. It was created by an act of the general assembly of 1868-69, and held its first meeting in 1869. For years the power of the board was curtailed and no appropriations were made by which it could carry out

its duties required by law.

The board began to languish and the general assembly failed to appoint members to fill recurring vacancies and until 1889 the board of charities was inactive until it was revived by the legislature of 1889-90, employing then its first active secretary, C. B. Denson. From then until 1917 it carried on its work, more limited than now, without interruption, to be again re-invigorated with larger powers by the general assembly of that year, and its name changed to the present one.

This increase in power and machinery was made possible through the interest of a large group of citizens who had formed in 1913 the North Carolina conference for social service. Among the interested citizens were Dr. Clarence Poe, Dr. W. S. Rankin, Col. W. A. Blair, and Mr. A. W. McAlister. The law was drawn up by Mr. A. M. Scales, and with the consent and hearty co-operation of the state board of public charities, the law was presented to and passed by the legislature of 1917.

The old board of charities, whose prime responsibility had been the supervision of charitable and penal institutions was enlarged and a new structure set up to include, in addition to institutional supervision, the machinery for a state-wide program of public welfare in which the county was an integral part. Partial responsibility for enforcing the compulsory school attendance law and the child labor law, was added to these work of the new board as well as other child welfare measures. A law providing for a state-wide juvenile court law was passed at the same time. Mental health and hygiene were to be given special attention.

The work of the board has been divided under six bureaus, those of: County Organization, Children's Bureau, Institutions, Mental Health and Hygiene, Education and Publicity, and Work among Negroes.

Work of the County Superintendent of Welfare

In North Carolina's state-wide system of public welfare, the county is a unit of administration. All counties having a population of more than 32,000 are required by law to employ a superintendent of public welfare who has charge of the work in that particular county and is the agent of the state board there. In counties of less than 32,000 employment of this officer is optional; but a number of such counties have whole or part-time superintendents.

There are now fifty-five counties which employ whole or part-time superintendents of welfare; in other counties the county superintendent of school carries out the duties

of the welfare officer, by virtue of his office.

The superintendent of welfare in each county, works in co-operation with the county board of welfare, consisting of three persons, appointed by the state board of charities and public welfare. The superintendent of public welfare is the chief school attendance officer. In addition to this he has supervision of the administration of poor funds; oversight over all persons discharged from state institu-

tions, including prisoners, is the agent of the state board of charities and public welfare and of the child welfare commission, and carries out all the other duties of his office, including the promotion of wholesome recreation.

The Bureau of County Organization

Through the bureau of county organization the state board of charities and public welfare which must approve all county welfare officers, seeks to strengthen the whole public welfare machinery in North Carolina by co-operating in the work of the counties, and by emphasizing the importance of the election of county superintendents possessed of good moral standards, education and personal fitness for the work.

The bureau fosters as far as possible plans of county organization by which the superintendent of welfare shall co-operate with all other social agencies in the county.

Children's Bureau

The children's bureau is perhaps the most important of the six, since there is great opportunity of doing the most effective preventive work. This bureau has charge of all case work, often acting in an advisory capacity to the superintendents of welfare and others who ask for assistance; arranges the clinics for crippled children, and supervise the administration of the mothers' aid fund, created by the general assembly of 1923. A fund of \$50,000 a year for 1923 and 1924 was appropriated to help worthy mothers, deprived of their husbands' support, to rear their children in their own homes.

Mothers' Aid

The object of the appropriation was to keep such families intact by assisting women who were mentally and morally qualified to rear their children, but who were prevented by poverty only. It is the first time that a monetary value has been placed on a mother's work, and sound constructive work has resulted from the project. The state appropriation is matched dollar for dollar by the counties taking advantage of it. The legislature of 1925 reduced the appropriation to \$30,000 a year, which was further reduced by the 5% cut applying to all appropriations, to \$28,500.

To date, 336 mothers, with more than 1,400 children have been helped by the fund. There are at present 246 active

cases; since many of the mothers have become self-supporting, or aid has been enlisted from other sources.

The state director of mother's aid has visited personally practically every mother on the list. The women who are receiving this aid are encouraged to secure work in their homes to augment their incomes so that their names may eventually be removed from the list and the money given to more needy cases. They are encouraged to send their children to school, to have them examined by the health authorities and in every way to rear them as respectable and useful citizens.

Crippled Children's Clinics

A census of crippled children to determine the number in the state was made in 1922 under the direction of the state board of charities and public welfare, working in connection with the rehabilitation department of the state department of education. Since that time fourteen clinics for crippled children have been held by the children's bureau in co-operation with the State Orthopedic Hospital at Gastonia at various points throughout the state, and over seven hundred children have been examined. Many hundred have been helped at the State Orthopedic Hospital since its opening in 1921.

Bureau of Institutions

In vestigation and supervision of all state and county penal and charitable institutions and of out door poor relief is the duty of the bureau of institutions. Monthly reports are asked by the board from county jails and prison camps in order to collect statistics on crime.

An inspector is kept continually busy inspecting jails, prisons and county chain gangs throughout the state. Under a joint arrangement made by the state board of health and the state board of charities and public welfare, this inspector, who began his work in July, 1925, advises with the officials in the various counties as to the best methods of handling prisoners in order to comply with the state laws.

Supervision of public poor relief in the state is also one of the duties of the board, which is handled by the bureau of institutions. Inspection is also made of the three state institutions for the insane and of the Caswell training school for mental defectives. The board is required to

report to the general assembly on the condition of the state institutions and to make recommendations in regard to their needs.

The board is charged with the supervision of child-caring institutions, including maternity homes; and must issue licenses to those child-caring institutions with plants valued at less than \$60,000. The head of the bureau of institutions confers with officials from the various counties as to the best plans for county institutions, such as jails, county homes, and detention homes.

Bureau of Mental Health and Hygiene

Experts are coming to regard mental deficiency or abnormality as the root of manifold social maladjustments. For this reason, the bureau of mental health and hygiene was established by the state board in 1921. Mental examinations of problem cases are made by this bureau and studies made of the relation of mental deficiency or aberration to crime, dependency and immorality. Crime, immorality, and dependency in a large proportion of cases, go back not to "sin," but to sickness or deficiency in the brain. The predominant chance is that the offender against society and the dependent upon society are "not all there," or if they are, that their mental powers have been twisted in neurotic or pathological directions. The experience of the state board of charities and public welfare is overwhelming in support of the theory that mental deficiency or sickness is the most serious of all social problems, and that mental hygiene is one of the most important social

The bureau of mental health and hygiene determines the mental condition of cases that come to the state board of charities and public welfare. Mental clinics are held from time to time in the various places and in various state institutions. Inspection of all state or private institutions for the insane, the defective or the mentally sick is made by this bureau. The bureau makes records of all available facts about cases that come to its attention and during the last biennial period, 1922-24, over six thousand cards have been added to the files of the bureau, and nearly eight thousand cards carrying additional data concerning relatives of the cases.

Intensive study has been made by this bureau of a North Carolina family of low mentality, twenty-three members having spent a total of 317 years in the various state and county institutions supported by the taxpayers of North Carolina.

Bureau of Education and Publicity

The bureau of education and publicity aims to acquaint the people of the state with the activities of the board and thus to build up support of its work. With only nine years since the re-organization of the old North Carolina board of public charities and the inauguration of the state-wide county system in 1918, public welfare work in North Carolina is still comparatively a new venture, and in general, the people of the state have been ignorant of the system, skeptical of its possibilities and unfamiliar with its technique. This situation has been steadily improving, however, and with better understanding of the work, more intelligent people rally to its support.

News stories on various phases of the work are sent constantly to the state papers, and in addition articles have been printed in many periodicals. Since May, 1923, public welfare progress, formerly a mimeographed sheet, has been a four-page printed paper which gives accounts of the activities of the board and of interesting features of its work. It is written for the average reader in order to familiarize him with the work of the board and to interest him in it. It has a mailing list which now numbers about 6,500, and is published monthly for free distribution.

Special bulletins are issued from time to time, addresses are made by the commissioners and other members of the staff, annual institutes of public welfare are held at the University of North Carolina and constant efforts are made to co-operate with various civic and benevolent organizations.

Laura Spelman-Rockfeller Memorial Demonstration

Becoming effective July 1, 1924, the state board of charities and public welfare received a grant of \$30,000 from the Laura Spelman-Rockefeller memorial. This sum is to be given in installments of \$10,000 a year for three years. The school of public welfare at the University of North Carolina receives an equal amount. The grant was made to the Board and the school for the purpose of a joint demonstration project in four counties in the state, se-

lected by the state board of charities and public welfare and the school of public welfare.

The money is being used in four counties, Wake, Orange Chatham and Cherokee, to demonstrate what a good county organization for public welfare should be and what results may be attained when such work is adequately financed and directed by efficient people.

Bureau for Work Among Negroes

By means of the Rockefeller grant, it was possible to inaugurate the work of the bureau for work among the negroes, to emphasize especially the part of the work of the board which deals with the work among the negro people. Efforts are made to organize the work in the various counties and to employ trained negro social workers to carry out the plans. Special surveys of social conditions have been made in several towns by the director of the bureau.

Interest in the work of the state board of charities and public welfare has been especially stimulated and aroused by the activities of the North Carolina conference for social service, and the school of public welfare at the University of North Carolina. Every year special institutes of public welfare are held at the university by joint arrangement of the state board of charities and public welfare and the school of public welfare. Attendance upon these institutes is required of county superintendents of public welfare. The North Carolina conference for social service holds annual meetings for definite study of various social problems. Through its "Committee of one hundred for prison reform," much has been done to crystallize public sentiment and to work towards correcting the defects in our present system.

Commission of Child Welfare

According to the laws of the state, the state superintendent of public instruction, the secretary of the state board of health and the commissioner of public welfare constitute the state child welfare commission. It is their duty to make and formulate such rules and regulattions for enforcing and carrying out the provisions of the law concerning child labor, seats for women employees, and separate toilets for sexes and races. The members of the commission have power to make rulings necessary to en-

force the purposes for which the commission was formed; namely, to protect the childhood of the state by regulating child labor. The executive staff of this commission is entirely separate from the staff of the state board of charities and public welfare, and is headed by Mr. E. F. Carter, secretary of the child labor commission.

The state institutions that come under the supervision of the state board of charities and public welfare are:

Hospital for the insane at Raleigh. Established in 1848 through the efforts of Dorothea Dix, who brought about the establishment of hospitals for the insane in twenty states.

State prison at Raleigh. Established in 1869.

Hospital for the insane at Morganton. Established in 1875.

Hospital for negro insane at Goldsboro. Established in 1880.

Stonewall Jackson training school for delinquent white boys at Concord. Established in 1909.

North Carolina orthopedic hospital for crippled children at Gastonia. Established in 1909.

Caswell training school for mental defectives at Kinston. Established in 1911.

Samarcand manor for delinquent white girls at Samarcand (Moore county). Established in 1917.

Morrison industrial school for delinquent negro boys in Richmond county. Established by the general assembly of 1921.

Eastern Carolina industrial training school for delinquent white boys at Rocky Mount. Established by the

general assembly of 1923. Not yet open.

The state of North Carolina also contributes to the support of the Masonic orphanage and the orphanage for colored children, both of Oxford. These institutions are also under the supervision of the state board of charities and public welfare.

This list does not include the county institutions and the private institutions that the state board supervises.

Lesson XIV

ELECTION LAWS—QUALIFICATIONS FOR VOTING —PRIMARY—GENERAL ELECTIONS

By B. T. FALLS, State Representative, Shelby

Time of Elections—Elections for the purpose of selecting county officers are held every two years on Tuesday next after the first Monday in November; and every four years for the purpose of electing presidential electors and state officers, the county officers elections beginning with the year 1906 and biennially thereafter, and state and national officers beginning with the year 1908 and every four years thereafter.

State Board of Elections—The governor appoints five electors from the state at large who shall hold office for two years, not more than three of whom shall belong to the same political party, and shall constitute the state board of elections. Their terms of office began on June 1, 1905, and their successors are thus appointed every two years thereafter.

Powers and Duties—The state board of elections shall meet and organize by electing a chairman and secretary, and shall receive \$4 per day and actual expenses and shall:

1. Appoint a county board of elections consisting of three qualified electors resident of the county in which they serve.

2. Have power to prescribe the size of the ballots for state, judicial, congressional offices (which ballot shall be without device).

3. Receive from the county board of canvassers a duplicate copy of their returns showing the vote in each county for all state officers including the governor, justices of the supreme court, justices of the superior court and solicitor, representative in congress, and for United States senators.

4. Four members of whom act with the governor and thus constitute the state board of canvassers, which board shall receive from the secretary of state the abstracts sent said secretary of state by the boards of county canvassers and on the third Monday after the election and examine said returns and canvass the same publicly in the hall of the house of representatives at Raleigh and judicially de-

termine by the count who is elected to office at said elections and affix the seal of the state to their said report. When this report is properly certified to the secretary of state he shall issue a certificate of election to the candidate declared elected.

However, the votes for the executive officers of the state shall be declared according to the provisions of section three, article three of the constitution, and while the state board of canvassers are required to publish the result as to such officers, said publication is for the information of the public only.

The political importance of the governor is apparent, in that he may appoint the state board of elections, a majority of whom will be of his party affiliation, these in turn appointing the county boards of elections, which latter appoints the judges and registrars in the precincts, from whom the county boards of canvassers are chosen, and which boards of canvassers "judicially determine" the results at the elections, and if corruption and frauds exist no one can go behind the said returns to show it. Thus political partisans are permitted to try their own case.

County Boards of Elections How Appointed, Qualifications and Duties—The state

board of elections appoints three qualified electors resident in each county in which they serve, not more than two of whom shall belong to one political party, who shall constitute the county board of elections, and shall hold for a term of two years, their appointment to office to be at least three months before the next ensuing election.

As a matter of practical working, the county chairman of the executive committee of the dominant political party certifies two names to the chairman of the state board of elections who are appointed for the majority party, and the chairman of the executive committee of the minority party sends up the name of one man to the state board of elections, and these three are appointed by the state board of elections as the county board of elections.

Duties—The duties of the county board of elections are to:

1. Meet promptly and organize by electing a chairman and a secretary usually on first Monday of September.

2. Divide their county into convenient election districts and appoint polling (voting) places therein.

3. Order such changes in polling places and precincts as they may deem expedient, and to order a revision of

poll books and registration books in any precinct.

4. Appoint judges and registrars at the several polling places in their county. (Here again the party chairman of the dominant party submits the name of one judge and one registrar and the minority party chairman submits the name for one judge, for each precinct, and these are appointed registrar and judges for that precinct.)

5. Transmit to the speaker of the house of representatives a statement of the vote taken in their county for governor, lieutenant governor, secretary of state, auditor, treasurer, superintendent of public instruction, attorney general and other state officers, not later than five days

after the election.

6. The chairman shall furnish the county officers with a certificate of election.

7. The chairman shall be a member of the board of can-

vassers in the state senatorial districts.

8. Shall cause to be prepared and distributed to the regstrars and judges of election ballots for all the candidates to be voted for at the elections.

Qualification of Voters

The following persons are disqualified from voting:

1. Persons under 21 years of age.

2. Lunatics and idiots.

3. Persons convicted of a felony, unless restored to citizenship as provided by law.

All electors who present themselves to vote must have:

1. Been 21 years old before the day of election.

2. Been a resident of the state one year.

3. Been a resident of the precinct or district four months.

4. Been registered with the election registrar.

Qualification Before Registration—Every person presenting himself or herself for registration must be able to read and write any section of the constitution in the English language, and be able to explain the same to the satisfaction of the registrar; provided, however, that any person who registered and voted prior to 1867 or any lineal

descendant of such person who either voted or was entitled to register and vote, shall not be deprived of the right to vote by reason of his inability to read and write.

Every person before being registered shall be sworn and state his name, age, place of residence, place of birth and the ward or precinct in which he is entitled to vote.

Every male person shall present a receipt showing that he has paid his poll tax for the year previous before being

permitted to registrar.

Registration book shall be open for the registration of voters for a period of twenty days preceding the closing of the said books before the election, and the registrar shall attend the polling place in his precinct on each Saturday while the books are open for the registration of votes. And the registrar shall take and subscribe for the faithful performance of his duties. The registration books shall be closed for registration of voters on the second Saturday before the election.

Absent Electors

This privilege of voting accorded electors who are away from home or sick is new to our people, the law having been enacted in 1917. Manifestly the intention of the law was good, but its provisions have been abused in some counties, and more particularly in the primary than in the general election. It has been reported that in one of the average counties in the state over 800 absentee ballots were cast in the last primary, the majority of which were cast as follows: An elector was asked by the election officials or some worker at the polls why he did not bring his wife to the election. Perhaps his reply was that his wife did not feel like coming today. "That's right, your wife isn't well today. We'll fix her up a ticket and she can vote without coming here." And the worker would get him to one side and a notary public, and a physician were usually close by, and within a few minutes an absentee ballot was in the hands of the election officers for "the old woman."

Any person who is expecting to be absent during the registration period may apply to the chairman of the county board of elections to be registered, and his name shall be certified to the registrar for his precinct. A ballot shall be mailed to the absent elector, who shall fill it out,

and mail to the registrar of his precinct and it shall be opened at 3 p. m. on election day and deposited as if the elector were personally present.

Likewise an elector who is sick may apply to the county chairman of the board of elections for an absentee ballot, and mail same with a physician's certificate to the effect that said elector is sick and unable to attend the polls and said vote shall be deposited and counted, as if the elector were personally present and cast the ballot.

Challenges

Any elector may challenge the right of any other elector to vote, by making known the fact to either the registrar or one of the judges. Thereupon notice shall be given to the said elector to appear before the registrar and judges on a certain day usually on Saturday before the election and the judges and registrar shall hear the matter and decide the matter agreeably to the fact, and if they find the elector qualified they shall so state; and if disqualified they shall order his name stricken from the registration book.

Conduct of Election

The polls shall be open on the election day from sunrise until sunset of the same day and no longer.

Our statute (sec. 5976 C. S.) provides that a space of fifty feet may be roped off and kept clear of persons, and that only one voter may enter at a time to approach the ballot boxes.

The election officers may appoint bailiffs and maintain order about the ballot boxes.

Every voter has the right to deposit his own ballot, or he may ask either the registrar or one of the judges to deposit same for him.

When the polls shall be closed, the registrar and judges shall proceed to count the ballots and certify the result under their hands without adjournment, and shall appoint one of their number to carry the result and meet with and be one of the board of county canvassers, a majority of whom shall constitute a quorum.

The results shall be declared and certified as hereinbefore stated.

Primary Elections

The first Saturday in June before the general election is the day set for holding the party primaries. These primaries are held under the same rules as those governing the holding of general elections. All candidates must file a pledge to abide by the result of the primary election and pay the required fee to and with the chairman of the county board of elections, at least six weeks for state offices, and two weeks for county offices, before the said primary is held.

All candidates who have no opposition shall be certified by the county and state board of elections as the party nominee for the said office, and shall not be voted on in

the primary.

All candidates shall file a sworn statement of expenditures ten days before the primary, and also a statement of contributions received or expended for him or in his behalf, and failure so to do constitutes a misdemeanor.

All expenses for county offices and holding the elections are paid by the county, while the state pays for printing

and distributing tickets, etc., for state offices.

Ballot boxes shall be provided for both political parties and marked "National Primary Box," "State Primary Box" and "Legislative Primary Box," and "County Primary Box,"

The county boards shall tabulate the returns and declare the result for county officers, and the state board of elections shall tabulate and declare the result of the elections

for state officers.

When no candidate shall have received a majority of all the votes cast for that office, a second primary shall be held four weeks after the first primary, unless the candidate receiving the next highest vote shall withdraw.

A large number of counties are exempted from the oper-

ation of the primary.

The Australian Ballot

The name "Australian ballot" is usually applied to any modification of the method of holding our elections whereby secrecy is proposed for casting the ballot by the elector, and there are about as many forms of Australian ballot laws as there are states adopting a secret ballot.

The Australian ballot law proposed at the session of the

last general assembly (1925) did not propose drastic changes in the machinery or methods of appointing election officers, state boards of canvassers, county board of canvassers, the manner of registering voters, etc. It had to do chiefly with the ballot itself, and the circumstances surrounding the casting of that ballot by the elector.

Whereas, our present law provides for separate ballots (tickets) for the various political divisions, such as national, state, congressional, senatorial, county, township offices, and such amendments as may be proposed, requiring sometimes a dozen different tickets or ballots to be selected by the voter, the Australian ballot would provide only one ballot which contains the name of every candidate of all political parties, each party candidates being arranged in separate parallel columns under the party name and emblem with a circle thereunder, in which a cross mark is sufficient to vote the straight party ticket of the elector's choice. In case the elector does not wish to vote the straight party ticket, the elector may not make the cross mark in the large circle aforesaid, but may mark in the small square opposite the name of each candidate of the elector's choice, omitting those the elector wishes to reject. The term "modern ballot" has been applied to this feature and aptly so. It is found quite difficult by the better informed electors to go into a mass of tickets and select a full quota for all the offices without assistance. This embarrassing and time-consuming operation is obviated by having all candidates on on ballot. It facilitates counting the ballots at the close of election day to the same extent.

These ballots are numbered serially, each having a perforated corner with the same number as the ballot itself, and when the ballot is cast this perforated corner is detached and deposited in a separate box. No tickets or ballots are allowed to be distributed generally, and each elector must cast an official ballot handed him by one of the judges.

Election booths shall be provided for use in marking the ballot, and so arranged that no one can observe the elector while marking the ballot. When the ballot is prepared, the elector folds the ballot so that no one can know how it is prepared, hands it to the judges, who detach the corner

perforated, place the ballot in the box, and the elector must

leave the voting place at once.

The voting place is to be roped off so that no one may come closer than fifty feet of the ballot box, and the electors enter by one alley and depart by the other alley. An official helper may be appointed by the election officers, who shall take and subscribe an oath to act impartially, and not to make any suggestion to any elector as to how he shall vote, or divulge any information as to how any elector has voted, and when called upon by the elector, shall give such elector such assistance as may be needed in preparing the ballot. The official helper is guilty of a misdemeanor if he makes any suggestion to the elector as to how to vote or for whom to vote or not vote, and as one of the judges is a democrat and the other a republican, the official helper would not likely violate the law.

Restrictions and safeguards are likewise thrown about the absentee voter's law, so that its provisions may be kept

both as to the letter and spirit of the law.

Remedy in the nature of quo warranto was provided whereby any candidate may go behind the report of the board of canvassers, and enquire into the returns in any and every precinct, instead of their being closed to the courts as now, when it is held that the same have been "judicially determined" by the said boards.

To summarize the results, the Australian ballot law pro-

vides for the following:

1. Privacy in voting.

2. It lessens the temptation to bribery, for the giver of a bribe cannot know if the goods are delivered.

3. It clears the ballot box of the intimidator and puts

him beyond the pale of its operations.

4. It will add dignity and attractiveness to the lofty duty of voting by all of our citizens.

5. It will facilitate voting in precincts which is of great

value to large precincts.

6. It will facilitate counting ballots and declaring results.

7. It greatly lessens the posibilities of frauds, and prevents possibilities of ballot box "stuffing."

Lesson XV

GETTING A BILL THROUGH THE LEGISLATURE

By MRS. MARY O. COWPER,

Third Regional Chairman for National League of Women Voters

When the Legislative Council of North Carolina women has decided on the substance of the measures it hopes to have passed, the executive secretary, with the advice of experts on each bill, phrases them, and then takes them to be put into the proper form to be introduced into the legislature. This "drawing" is done either in the office of the legislative reference librarian or of one of the engrossing clerks. The bills destined to be introduced into the senate have one color of cover, those into the house, another. A place is left for the number.

The Council, either before or after the drawing of the bill, gets the consent of some member of the legislature to introduce it. Almost anyone will put in a bill "on request," but the Council always seeks to find someone who is strongly in favor of the measure and will work for it as for his own.

Soon after the opening of the sessions each day, the presiding officer asks for the introduction of bills; the members who have them rise, and a page comes for them and takes them to the reading clerk. The clerk stamps the number on each one as the introducer is "recognized" by the presiding officer, reads the title on the outside, which is supposed to indicate the substance of the bill, and the speaker then sends it to the proper committee for consideration. On account of this proceedure, the make-up of the committees is most important to all people desiring the passage of measures. And for this reason, the election of the presiding officers is all important, for these officers, the lieutenant governor in the senate, and the speaker in the house, appoint the committees. If a bill might properly go to one of several committees, the introducer asks that it be sent to the one he thinks is the more friendly. Usually the probability of a favorable or unfavorable vote by a committee is known before the bill is considered in open hearing, but its friends always hope that the presentation of reason for its passage will find open minds.

The Council asks for open hearings on all its bills, and members speak in favor of its passage and answer objec-

tions. When the opinions of the committee are accurately known, and there is no possibility of a favorable report, there is an effort made to get a minority report. For instance, in the case of the Australian ballot bill, which was before the committee on elections of the house, five members had agreed to sign a minority report in case a majority voted to report the bill unfavorably. If this were not done, there would be no opportunity for debate on the floor of the house. A majority of the committee in favor of the bill puts it on the "calendar"; that is, it automatically comes up for a vote when its number is reached. If there is only a minority for it, and then send in a written request that the bill be considered, the house votes whether or not to put it on the calendar, and if they vote in favor, the bill is considered just as if it had been reported favorably. When the case of the Australian ballot came up, it was put on the calendar by a majority of twelve which showed its great strength.

In the case of a bill carrying an appropriation, whatever its fate may be in the first committee, it goes to the appropriation committee. There the measures for the farm colony for women and the reformatory for colored girls were lost in the 1925 legislature though they had been recommended favorably by the public welfare committees. On account of the "economy program" there was no effort made to get a minority report and an open debate.

It is a very difficult thing to keep up with a bill, especially toward the end of the legislative session. It may be due at a certain time, but debate on some other subject may postpone its consideration for some time. It is often voted to give certain bills the right of way, or to set a certain time for their consideration regardless of what else is due then. The bundle of bills is in a rack before the presiding officers, and it is the practice of some members of the legislature to go up and change the bills around, putting those they want up, first, and putting others last. Some even take out bills either for study or some other reason, and, in the last legislature, some bills were taken and never re-appeared. Some presiding officers inist on bills being considered according to their number. But "watching the bills" means every minute attention. As the Council always asks for a record vote, the importance of this watching is easily seen.

When the bill is up for debate and vote, there are several dangers besides a clear loss. Amendment may so change the measure that it is worthless, and enough counties may be exempted to make it valueless as a state-wide law. One of the peculiarities of the North Carolina custom is that members of the legislature may have their counties exempted from almost any law. In the case of the Australian ballot bill, again, as soon as the majority in favor of it was seen, opponents began to exempt their counties, so as to destroy the purpose of the measure. For this reason, it is necessary for "the people back home" to have expressed themselves before and after the primaries and just before the vote, so that their opinions may be well known. In the case of such bills as the Council presents, this work at home is the all important factor in getting the bills passed. The Council and executive secretary can change very few votes by presenting arguments at the time of the

Another danger is "getting into a legislative jam." At the beginning of the session, the legislature meets a very short time every day, and bills are given due consideration. Towards the end, with hundreds of bills, local and statewide, up for a vote, there is every danger of losing measures by lack of consideration. At the beginning of a session, new members, at least, expect to know something about everything they vote on. They cannot, as they soon find out. At the end of a session, bills are put through with such speed that very few members know exactly what is being voted on. Probably this "jam" will continue as long as so many local county measures must be, or are, considered. And as long as many members of the legislature must give a great amount of their attention to their own county bills, measures of state-wide interest will suf-Habits of inattention must result from the large amount of time spent in passing matters in which only one county or district is interested. Some measure of homerule would improve the situation.

Getting a bill through, then, depends upon the amount of information that is gotten to the public before the legislature meets; then upon the make-up of the committee to which the bills go; then upon the skill of the member who has each bill in charge, his ability to gain attention when he speaks, to answer arguments, and stop filibustering; the time when bills are up for a vote, for they are

often lost by their coming to the floor when everyone is tired, or many are absent, or a house is "in a killing mood," as the newspapers express it. Since bills must pass both houses in an identical form, there is time for opposition to do many things to kill a bill. Amendments may send one back and the adjournment of the legislature prevent re-consideration. And, too, a bill passed at the beginning of a session may be re-called and killed at the end. So, work before the session opens, never-slacking attention during the session, and courage to begin all over again are necessary in getting bills passed.

PROGRAM OF THE LEGISLATIVE COUNCIL OF NORTH CAROLINA WOMEN FOR 1925

Re-adopted by the 1925 Council for 1927

Members of the Council in 1925 were the Federation of Women's Clubs, Federation of Business and Professional Women's Clubs, League of Women Voters, Women's Christian Temperance Union, Parent-Teacher's Association, State Nurses' Association, Women's Auxiliary of the Episcopal Church; and non-voting, the Young Women's Christian Association. The officers were: President, Mrs. Palmer Jerman, Raleigh; first vice-president, Mrs. Elsie G. Riddick, Raleigh; second vice-president, Mrs. Frank D. Castlebury, Raleigh; secretary, Miss Gertrude Weil, Goldsboro; treasurer, Mrs. C. G. Doak, Raleigh; executive secretary, Mrs. Mary O. Cowper, Durham.

Each member organization has four representatives in the Council: The president, the legislative chairman, and two others appointed by the president.

The object is to prevent overlapping of legislative effort by the various state organizations of women, and to enable organizations favoring the same legislation to unite their efforts to obtain its passage. Headquarters were maintained in 1925 at the Sir Walter Hotel, and a weekly bulletin giving the status of the Council bills was published and sent to the members.

Measures for which bills will be introduced by the Council.

1. A state-wide Australian ballot law.

2. A law limiting the working day of children under 16 to 8 hours in industrial and mercantile pursuits.

3. Establishment of a farm colony for women offenders

older than those received at Samarcand.

4. A law requiring that notice be published two weeks in advance of a marriage.

5. An appropriation for the maintenance of the reform-

atory for colored girls.

Measures endorsed:

1. The program of the state board of charities and public welfare.

2. The program of the committee of 100 on prison reform.

- 3. More effective enforcement of the prohibition law.
- 4. Educational program:
 - a. Increase of the equalization fund.
 - b. Compulsory school term of 8 months fixed by constitutional amendment.
 - c. Attainment of a given grade as well as age made the basis for compulsory education.

WOMAN REDIVIVUS

(Dedicated to the League of Women Voters) Infinite years ago woman was slave, Serving her man his kill, keeping his cave, Bearing him daughters and sinewey sons; Abjectedly shackled, cloistered as Nuns.

None of the glory hers, hers was to slip Into the shadows dim, silent of lip. Man's all the plaudit was, man's all the gain; Woman's the burden was, woman's the pain.

Limitless ages sped light broke apace, Day-dawn of reason enveloped the race, Swiftly the shackles fell serfdom was past, Woman arose from her thralldom at last.

The Sun of salvation revealed to the man That slaves cannot bear noble sons to the Clan, But as helpmeet and equal the mating gave birth To fair sons and daughters, investing the earth.

Oh, glorious morning of laughter and light! The sun kissing gently the tears of the night. The noonday of love is come—Woman and man, Completely fulfilling the infinite plan! -Sid Alvn.

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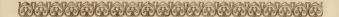
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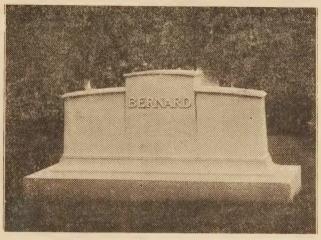
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